



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)**

**Thursday, the Twelfth day of August Two Thousand and Twenty One
PRESENT**

**The Hon`ble Mrs.Justice R.THARANI
CMA(MD) . No.972 of 2013**

WEB COPY

The National Insurance Company Ltd,
Jerome Building,
1st Floor, Fort Station Road,
Trichy.

Appellant / Respondent No 2

Vs

1.MinorVignesh
Rep.by father & guardian
Kannan

1st Respondent / Petitioner

2.R.Sarala

2nd Respondent / Respondent- 1

Prayer:-

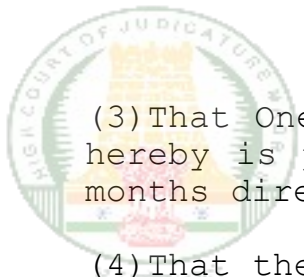
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree dated 14.09.2012 passed in MCOP No 1926 of 2009 on the file of the Motor Accidents Claims Tribunal / III Addl Sub Court, Trichy.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Monday the Twenty Eight Day of June Two Thousand and Twenty One upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.S.Srinivasaraghavan, Advocate for the Appellant and of Mr.Vinoth for Mr.M.Saravanan Advocate for First Respondent, and 2nd Respondent was not Appear either in person or through advocates, having stood over for consideration till this date this Court while allowed in part and modify having the negligence of the court below doth order and decree as follows:-

(1) That the appellant herein/Insurance company be and hereby is directed to deposit to Rs.5,10,000/- (Rupees Five Lakhs Ten Thousand Only) with 7.5% interest from date of the claim petition till the date of realization and the amount if not deposited earlier, has to be deposited within a period of 8 weeks from the date of receipt of copy of the order.,

(2) That on such deposit, the Tribunal be and hereby is directed to deposit the award amount of the minor claimant in any one of the Nationalised Banks, in a Fixed Deposit Scheme, till he attain majority.,



(3) That One Kannan, father and guardian of the minor claimant, be and hereby is permitted to withdraw the accured interest once in three months directly from the bank, only for the welfare of minor.,

(4) That the excess amount ,if any deposited shall be refunded to the appellant herein/Insurance company.,

(5) That the claimant is not entitled for interest for the default period if there is any.,

(6) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TO

The III Addl Sub Court,
Trichy.
Motor Accident Claims Tribunal.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 cc Mr.S.Srinivasaraghavan, Advocate SR No 26304

+1cc Mr. N.C.Ashokkumar Advocate SR NO 26035

ORDER DATED : 12/08/2021

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DECREE

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CMA(MD). No.972 of 2013

Nature of Decree:- Allowing in Part the C.M.A. preferred against the judgment and decree of 14.09.2012 passed in MCOP No 1926 of 2009 Motor Accidents Claims / Tribunal The III Addl Sub Court, Trichy. Stated with in etc.,

KB(03.09.2021) 2P 6C