



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

Monday, the Twenty First day of June Two Thousand and Twenty One
PRESENT

The Hon'ble Mr. Justice K.KALYANASUNDARAM
AND

The Hon'ble Mr. Justice B.PUGALENDHI

CMA(MD). No.1208 of 2014

THE MANAGING DIRECTOR,
M/S. ROYAL SUNDARAM ALLIANCE INSURANCE COMPANY LTD.,
SALEM

...Appellant / 2nd Respondent

Vs

1 K.DHANALSKHMI

2 MINOR MOHANAGURU

3 MINOR. GOKULASRI

(RESPONDENTS 2 & 3 ARE REP BY THEIR MOTHER,
1ST RESPONDENT HEREIN)

4 T.RAJAMANI

...Respondents / Petitioners

5 VENKATESH REDDY

...Respondent / 1st Respondent

Prayer:-

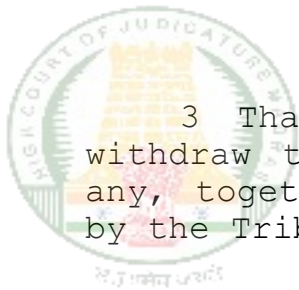
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 to set aside fair and decreetal order dated 10.10.2013 and made in M.C.O.P.No.284 of 2011 on the file of the Motor Accident Claims Tribunal (Additional District and Sessions Judge), Dindigul.

DECREE:-

Civil Miscellaneous Appeal having come up for final hearing on this date, 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.SRINIVASA RAGHAVAN, Advocate for the Appellant and of Mr.G.GOMATHISANKAR, Advocate for the Respondent, the appellant herein has already deposited the entire award amount along with the interest and cost this Court doth order and decree as follows:-

1 That the fair and decreetal order dated 10.10.2013 and made in M.C.O.P.No.284 of 2011 on the file of the Motor Accident Claims Tribunal (Additional District and Sessions Judge), Dindigul be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed with modification;

2 That the award of the Tribunal be and hereby is confirmed, however, the interest alone be and hereby is reduced from 9% to 7.5%



3 That the major claimants be and hereby are entitled to withdraw the award amount, less the amount already withdrawn, if any, together with proportionate interest and costs as apportioned by the Tribunal;

4 That the share of the minor claimants shall be deposited in any one of the nationalised banks, as fixed deposit under the Cumulative Deposit Scheme, till they attain majority and handed over the fixed deposit certificates to the mother of the minor claimants. On attainment of majority, the amount awarded to the minor claimants shall be disbursed to them with accrued interest and cost and;

5 That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal,
(Additional District and Sessions Judge),
Dindigul.

Copy to

The Record Keeper, VR Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.G.GOMATHISANKAR, Advocate, SR-19733

+1 CC to Mr.S.SRINIVASARAGHAVAN, Advocate, SR-19862

ORDER DATED : 21/06/2021

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DECREE

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CMA(MD). No.1208 of 2014

Nature of Decree:-

Dismissing the Civil Miscellaneous Appeal to set aside fair and decretal order dated 10.10.2013 and made in M.C.O.P.No.284 of 2011 on the file of the Motor Accident Claims Tribunal (Additional District and Sessions Judge), Dindiguletc., as stated within.