



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

Tuesday, the Thirtieth day of November Two Thousand Twenty One
PRESENT

The Hon'ble Mrs.Justice R.THARANI
CMA(MD). No.577 of 2014

WEB COPY

THE TATA AIG GENERAL INSURANCE CO.LTD.
DINDIGUL TOWN,
DINDIGUL REP. BY BRANCH MANAGER.

... Appellant/ Respondent No.2

Vs

1 ANGAMMAL

... 1st Respondent / Petitioner

2 ANGURAJ

... 2nd Respondent/ Respondent No.1

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal(Subordinate Judge), Uthamapalayam, dated 17.02.2011 made in MCOP No.28 of 2009.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Monday, the Twenty Fifth date of October Two Thousand Twenty One, and 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.J.S.MURALI, Advocate for the Appellant and none appeared either in person or through advocate for the respondents, this Court having stood over for consideration till this date, doth order and decree as follows:-

(1) that the first respondent herein/ claimant be and hereby is entitled to a sum of Rs.63,000/- (Rupees Sixty Three Thousand only) as compensation with interest at the rate of 7.5 % from the date of claim petition till the date of realization;

(2) That the second respondent herein/ owner of the vehicle be and hereby is directed to deposit a sum of Rs.63,000/- (Rupees Sixty Three Thousand only) with interest at 7.5% from the date of claim petition till the date of realization with cost within a period of 8 weeks from the date of receipt of copy of the judgment herein;

(3) That on such deposit being made, the first respondent herein/ claimant be and is hereby permitted to withdraw the award amount so deposited, together with the interest accrued thereon, after deducting the amount received by her earlier;

<https://hccs.judges.tn.gov.in/services> (4) That the first respondent herein/claimant be and hereby is not



entitled for interest for the default period, if there is any;

(5) That the amount deposited by the appellant herein/ insurance company shall be refunded to the appellant herein; AND

(6) That this Appeal be and hereby is allowed accordingly and there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Subordinate Judge,
The MOTOR ACCIDENT CLAIMS TRIBUNAL,
Uthamapalayam.

Copy to:

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

+1 CC to M/s.J.S. MURALI, Advocate (SR-36540 dated 30/11/2021)

ORDER DATED : 30/11/2021

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DECREE

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CMA(MD). No.577 of 2014

Nature of Decree:- Allowing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal (Subordinate Judge), Uthamapalayam, dated 17.02.2011 made in MCOP No.28 of 2009

RD(04.02.2022) 2P 5C