



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Ninth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD) . No.694 of 2014

THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
JEEVA JOTHI BUILDING BACKSIDE, DINDIGUL NAGAR,
SALAI ROAD, DINDIGUL DISTRICT.

... Appellant/Respondent

- Vs -

- 1 THANGARASU @ THANGARAJ
S/O. MUTHUMANI, PERIYA MOTTANUTHU, PALANI,
TALUK, DINDIGUL DISTRICT.
- 2 GUNASEKARAN
S/O. T.K.PARAMASIVAM, DOOR NO.167/11,
THUMMICHAMPATTI VILLAGE, OTTANCHATRAM TALUK,
DINDIGUL DISTRICT.

... Respondent(s)/Claimants

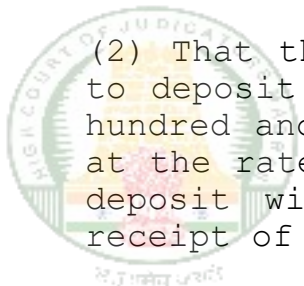
Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Motor Accidents Claims Tribunal - Sub Court, Palani, dated 20.08.2013, made in M.C.O.P.No.47 of 2012.

DECREE:-

This 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. G. Prabhu Rajadurai, Advocate for the Appellant and of Mr. D.Venkatesh, Advocate for the first respondent, this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accidents Claims Tribunal - Sub Court, Palani, dated 20.08.2013, in M.C.O.P.No.47 of 2012, be and hereby is confirmed and the Civil Miscellaneous Appeal is hereby dismissed;



(2) That the Appellant/Insurance Company be and hereby is directed to deposit Rs.18,08,660/- (Rupees eighteen lakhs eight thousand six hundred and sixty only) in M.C.O.P.No.47 of 2012 alongwith interest at the rate of 7.5% p.a. from the date of petition till the date of receipt of a copy of this judgment, if not already deposited;

(3) That on such deposit being made, the first respondent herein / injured claimant be hereby is permitted to withdraw the entire award amount, after deducting amount, if any, already received by him and he is not entitled for interest for the default period, if there is any default; and

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The MOTOR ACCIDENT CLAIMS TRIBUNAL,
The Subordinate Court,
Palani.

Copy to:

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

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-25938 dated 11/08/2021

ORDER DATED : 09/08/2021

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DECREE

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CMA(MD). No.694 of 2014

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accidents Claims Tribunal -Sub Court, Palani, dated 20.08.2013, made in M.C.O.P.No.47 of 2012.

KB(07.09.2021) 2P 5C