



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

Tuesday, the Twenty Third day of March Two Thousand Twenty One

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PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

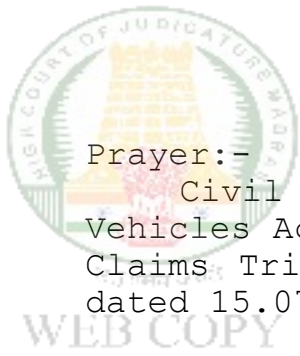
CMA(MD). No.28 of 2016

THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
DINDIGUL ... Appellant / 2nd Respondent

Vs

- 1 T.ARUMUGAM
S/O. THANGAVELU, A.B.COLONY, NAGANAPATTY,,
ODTTANDHATHRAM, DINDIGUL DISTRICT. (STOOD,
EXPARTE BEFORE TIRBUNAL). ... 1st Respondent/1st Respondent
- 2 KANNIAMMAL
W/O. LATE CHINNASAMY, SBM COLONY, DOOR NO.,
70A, THAGACHIAMMAPATTY, ODTTANCHATHRAM,,
DINDIGUL DISTRICT.
- 3 JAYANTHI
D/O. CHINNASAMY, SBM COLONY, DOOR NO.70A,,
THAGACHIAMMAPATTY, ODTTANCHATHRAM, DINDIGUL,
DISTRICT..
- 4 SUMATHI
D/O. CHINNASAMY, SBM COLONY, DOOR NO.70A,,
THAGACHIAMMAPATTY, ODTTANCHATHRAM, DINDIGUL,
DISTRICT..
- 5 RATHI
D/O. CHINNASAMY, SBM COLONY, DOOR NO.70A,,
THAGACHIAMMAPATTY, ODTTANCHATHRAM, DINDIGUL,
DISTRICT..
- 6 DEVI
W/O. LOGANATHAN, NO.2/77, VEGATESHPURAM 6TH,
STREET, VANDALUR, CHENNAI-48..
- 7 SHANTHI
W/O. SAKTHIVEL, DOOR NO.27/11, V.O.C.STREET,,
THIRUVALLUAR SALAI, THENAMPATTAI,

<https://hcservices.cenindia.in/hcservices/> ... 2nd to 7th Respondents / Petitioners 1 to 6



Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Motor Accident Claims Tribunal, Subordinate Court, Palani in MCOP No.103 of 2007 dated 15.07.2014.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Friday, the Eighth day of January 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.A.SHAJAHAN, Advocate for the Appellant and of MR.D.VENKATESH, Advocate for the second to seventh respondents, having stood over for consideration this till date, this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal, Subordinate Court, Palani in MCOP No.103 of 2007 dated 15.07.2014, that the findings of the Tribunal with regard to the liability of the appellant Insurance Company to pay the award be and hereby is set aside and the Civil Miscellaneous Appeal is allowed.

(2) That the Appellant/Insurance Company be and hereby is permitted to withdraw the amount already deposited, if any, before the Tribunal.

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

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Subordinate Judge,
Motor Accident Claims Tribunal,
Palani.

Copy to:

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

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-13047 dated 23/03/2021)

+1 CC to M/s.D.VENKATESH, Advocate (SR-13264 dated 24/03/2021)



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CMA(MD). No.28 of 2016

ORDER DATED : 23/03/2021

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DECREE

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CMA (MD) . No.28 of 2016

Nature of Decree:- Allowing the Civil Miscellaneous Appeal preferred against the Motor Accident Claims Tribunal, Subordinate Court, Palani in MCOP. No.103 of 2007 dated 15.07.2014 and etc., as stated therein.

KMK (CO)
TR(18.05.2021) 3P 6C