



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Monday, the First day of February Two Thousand Twenty One
PRESENT
The Hon`ble Mr.Justice K.MURALI SHANKAR
CMA(MD). No.900 of 2016

DIVISIONAL MANAGER,,
THE ORIENTAL INSURANCE COMPANY LTD.,
DIVISIONAL OFFICE,
CONDONMENT TRICHY..

... Appellant/2nd Respondent

Vs

1 RADHA,

...1st Respondent/Claimant

2 M.JAILANI,

... 2nd Respondent/1st Respondent

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 cum Sub Court, Thiruchirappalli dated 24.06.2013 made in M.C.O.P.No.88 of 2007.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Tuesday the Fifteenth day of December Two Thousand and Twenty 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 Thiru.C.JAWAHAR RAVINDRAN, Advocate, appearing for the Appellant and of Thiru.N.SUDHAGAR NAGARAJ, Advocate, appearing for the first respondent and the second respondent either not appeared in person or through his counsel, and this Court while allowing the appeal, doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal cum Sub Court, Thiruchirappalli dated 24.06.2013 made in M.C.O.P.No.88 of 2007 directing the Appellant /Insurance Company herein to pay compensation amounts and then to recover the same from the owner of the offending vehicle be and hereby is set aside;

(2) That Second respondent herein /Owner of the vehicle be and hereby is directed to deposit the award amounts within a period of eight weeks from the date of receipt of copy of this Judgment with accrued interest and costs;

(3) That on such deposit being made, the claimants be and is hereby permitted to withdraw the entire award amount with the interest and costs;

(4) That the appellant /insurance company herein be and hereby is directed to withdraw the award amount, if already deposited with accrued interest, on due application before the tribunal;



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

Sd/-

Assistant Registrar (CS-I)

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Sub Assistant Registrar(CS)

TO

The Sub Judge,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
Thiuchirappali

Copy to:

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

ORDER DATED : 01/02/2021

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DECREE

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CMA(MD). No.900 of 2016

Nature of Decree:- Allowing the Civil Miscellaneous Appeal preferred against the judgment and decree of the the Motor Accident Claims Tribunal cum Sub Court, Thiruchirappalli dated 24.06.2013 made in M.C.O.P.No.88 of 2007 and etc as stated within

KB(01.03.2021) 2P 4C