

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

Tuesday, the Thirtieth day of March Two Thousand and Twenty One
PRESENT

The Hon'ble Mrs. Justice T. KRISHNAVALLI
CMA (MD) . No.852 of 2015

THE ORIENTAL INSURANCE COMPANY LIMITED
REP BY ITS BRANCH MANAGER ,
NEAR KASPA VADASERI BUS STOP
NAGERCOIL TK
KANYAKUMARI DISTRICT

... Appellant/2nd Respondent

Vs

1 SUNDARAMMAL,
W/O. RAMAR,
MADASAMY KOVIL ST,,
RAMANATHAPURAM,
SIVAGIRI TK, TIRUNELVELI DT..

...1st Respondent/Petitioner

2 PRINCE EDWIN
S/O. VARKEES,
38, PILARILAI,
IDAICODU,,
KANYAKUMARI DT

...2nd Respondent/1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree passed by Motor Accidents Claims Tribunal (Sub Court), Sankarankoil, made in MCOP No.1 of 2010 dated 16.06.2012.

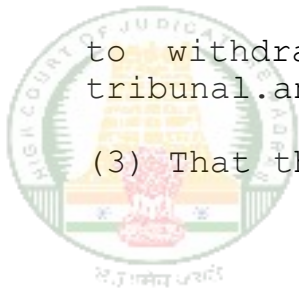
DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Twenty Fifth day of January Two thousand and Twenty one, upon perusing the grounds of Appeal, the award of the Tribunal and the material papers to the Appeal and upon hearing the arguments of M/S.K.BHASKARAN, Advocate for the Appellant and Respondent No.1 not appeared either in person or by an advocate, and 2nd respondent dismissed against court order dated 14.12.2017, and having stood over for consideration till this day, this Court while allowing this Civil Miscellaneous Appeal, doth order and decree as follows:-

(1) That the award passed by the Motor Accidents Claims Tribunal, (Sub Judge), Sankarankoil, with regard to the liability of the appellant Insurance company to pay the award be and hereby set aside and CMA is allowed.

<https://hcservices.ecourts.gov.in/hcservices/>

(2) that the appellant/Insurance Company be and hereby is permitted



to withdraw the amount already deposited, if any, before the tribunal.and

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

Sd/-

Assistant Registrar

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Subordinate Judge,
The Motor Accidents Claims Tribunal
Sankarankoil

Copy to:

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

+1 CC to M/s.K.BHASKARAN, Advocate (SR-14606 dated 31/03/2021)

DATED : 30/03/2021

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DECREE

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CMA(MD). No.852 of 2015

Nature of Decree:- Allowing
the Civil Miscellaneous
Appeal preferred against the
judgment and decree of the
Motor Accidents Claims Tribunal
(Sub Court),Sankarankoil, made
in MCOP No.1 of 2010 dated
16.06.2012.

KK(01.06.2021) 2P 5C