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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Tuesday, the Second day of March Two Thousand Twenty One
PRESENT

The Hon`ble Mrs.Justice PUSHPA SATHYANARAYANA
AND

The Hon`ble Mrs.Justice S.KANNAMMAL
CMA(MD) . No.421 of 2018

THE DIVISIONAL MANAGER,
NATIONAL INSURANCE COMPANY LIMITED,
ZONAL OFFICE,
3-B, NORTH VELI STREET,
MADURAI-1

... Appellant/2nd Respondent

Vs

1.P.RAMASAMY (DIED)

1.R.RAJESWARI,

2.MANIMEGALAI,

3.KAVITHA,

4.AMUDHA,

5.USHA, ... Respondents 1 to 5/Petitioners 2 to 6

6.JEBAGANANASINGH, ... 6th Respondent/1st Respondent

Prayer :-Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicle Act, 1988, against the Judgment and Decree dated 26.04.2017 made in M.C.O.P.No.1156 of 2012 on the file of the Motor Accident Claims Tribunal (Chief Judicial Magistrate Court), Madurai.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the Grounds of Appeal, the judgment and Decree of the Motor Accident Claims Tribunal (Chief Judicial Magistrate Court), Madurai and the material papers in the Appeal and upon hearing the arguments of Mr.D.Sivaraman, Advocate for the Appellant, Mr.V.Sasikumar, Advocate for 1st to 5th respondents and 6th respondent not appeared either in person nor by an Advocate this Court doth order and decree as follows:

- 1.That the award dated 26.04.2017, made in M.C.O.P.No.1156 of 2012 on the file of the Motor Accident Claims Tribunal (Chief Judicial Magistrate Court), Madurai be and hereby is confirmed and the Civil Miscellaneous Appeal dismissed;
- 2.That, the appellant herein/Insurance Company shall deposit the award amount together with accrued interest and costs to the credit of claim petition, less the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this order;



3. That, on such deposit being made, the 1st to 5th respondents herein/claimants 2 to 6 be and hereby entitled to withdraw the above compensation as per the ratio of apportionment made by the Tribunal with proportionate accrued interest and costs;
4. that there be no order as to costs in this Civil Miscellaneous Appeal.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Chief Judicial Magistrate
Motor Accident Claims Tribunal
Madurai

Copy to:

The Record Keeper,
V.R. Section, (2 COPIES)
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-8381 dated 03/03/2021)

+1 CC to Mr.P.MATHURAI VEERAN, Advocate (SR-8568 dated 03/03/2021)

ORDER DATED : 02/03/2021

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DECREE
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CMA(MD). No.421 of 2018

Dismissing this Civil Miscellaneous Appeal preferred against judgment and decree award dated 26.04.2017 made in M.C.O.P.No.1156 of 2012 passed by Motor Accident Claims Tribunal (Chief Judicial Magistrate Court), Madurai etc. as stated within.

VB (17.03.2021) 2P 6C