



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
THURSDAY THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

C.M.A. Nos.4294 and 4060 of 2019

1. Gnanasoundari

2. G.Rajkumar

...Appellants/ Petitioners
(in CMA.4294/2019)

...1st & 2nd Respondent/ Petitioners 1 & 2
(in CMA.4060/2019)

Vs.

1. B.Prabakaran

.. 1st Respondent/ 1st Respondent in
(in CMA.4294/2019)

..1st Respondent/ 2nd Respondent in
(in CMA.4060/2019)

2. The National Insurance Co. Ltd.,
Motor Third Party Cell, 4th Floor,
No.751, Anna Salai,
Chennai 600 002.

... 2nd Respondents/2nd Respondents
(in CMA.4294/2019)

.. Appellant/2nd Respondent
(in CMA.4060/2019)

Common Prayer: Civil Miscellaneous Appeals are filed under Section 173 of Motor Vehicle Act, 1988 against the judgment and decree passed in M.C.O.P.No.7012 of 2014 dated 28.06.2019 on the file of the Motor Accidents Claims Tribunal/Special Sub Judge No.I, Court of Small Causes, Chennai 104.

Decree: The Civil Miscellaneous Appeals coming on for hearing on this Seventeenth day of February Two Thousand and Twenty Two, Upon perusing the grounds of Appeal, the order of the Lower Court and Material papers in this case and upon hearing the



arguments of Mr.C.Richard Suresh Kumar, Counsel for the appellants in CMA No.4294/2019 and 2nd Respondent in CMA.No.4060/2019, and Mr.J.Michael Visuvasam, Counsel for the 2nd Respondent in CMA.No.4294/2019 and for the Appellant in CMA.No.4060/2019, this court by recording the fact that 50% of the compensation awarded by the Tribunal has already been deposited, doth order and common decree as follows:

(i) That the order and decree passed in MCOP.No.7012 of 2014 dated 28.06.2019 on the file of the Motor Accidents Claims Tribunal/Special Sub Judge No.I, Court of Small Causes, Chennai be and hereby is confirmed; and the CMAs are dismissed.

(ii) That the Insurance Company herein do deposit the remaining 50% amount with accrued interest and costs, less the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this Order;

(iii) That on such deposit, the claimants are permitted to withdraw the award amount, less the amount already withdrawn, if any, together with proportionate interest and costs;

(iv) That the apportionment of shares as fixed by the Tribunal to the claimants remain unaltered.

(v) That there be no costs in this appeal.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Special Sub Judge No.I, Court of Small Causes, Chennai
2. The Section Officer,
V.R.Section,
High Court,
Madras.

+1cc to M/s.J.Michael Visuvasam, Advocate, S.R.No.10157

+2cc to M/s.C.Richard Suresh Kumar, Advocate, S.R.No.10501



Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 28.06.2019 made in MCOP.No.7012 of 2014 on the file of the Motor Accidents Claims Tribunal/Special Sub Judge No.I, Court of Small Causes, Chennai etc., as stated therein.

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