

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY THE THIRD DAY OF MARCH

TWO THOUSAND AND TWENTY TWO

PRESENT:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.M.A.No.2841 of 2017

IFFCO - TOKIO

General Insurance Company Ltd.,

Represented by its Branch Manager,

No.306-A, 1st Main Road,

Viruthampet, Vellore

...Appellant/2nd Respondent

Vs.

1.Poovendiran

...1st Respondent/Petitioner

2. Yajnarayana Somayaji

..2nd respondent/1st Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award and decree dated 22.09.2016 made in M.C.O.P.No.85 of 2014 on the file of Motor Accidents Claims Tribunal, III Additional District Court, Vellore at Tirupattur.

Decree: This Civil Miscellaneous Appeal coming on for hearing upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Ms.Saraswathi for Mr.C.R.Krishnamoorthy, Advocate for the Appellant and Mr.Terry Chella Raja, Advocate for the 1st Respondent wherein 2nd Respondent having set exparte in lower court itself and recording the submission that the compensation awarded by the Tribunal had already been deposited, this court doth order and decree as follows:

1.that the judgment and decree dated 22.09.2016 made in M.C.O.P.No.85 of 2014 on the file of the Motor Accidents Claims Tribunal, III Additional District Court, Vellore at Tirupattur be and hereby said confirmed and this Civil Miscellaneous Appeal is dismissed.

2.that the Second Respondent shall withdraw the compensation with accrued interest.

3.that there be no order as to costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kkn

To:

The Motor Accident Claims Tribunal,
III-Additional District Court,
Vellore at Tirupattur.

Copy To

The Section Officer,
V.R Section,
High Court, Madras.

+1cc to M/s.C.R.Krishnamoorthy, Advocate, S.R.No.13988

+1cc to M/s.F.Terry Chellaraja, Advocate, S.R.No.14323

Dated: 03.03.2022

Decree:

C.M.A.No.2841 of 2017

Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 22.09.2016 made in M.C.O.P.No.85 of 2014 on the file of the Motor Accidents Claims Tribunal, III Additional District Court, Vellore at Tirupattur etc as staed therein.

PMK(CO)
RGA(27/04/2022) (28/04/2022)