



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

Tuesday, the First day of March Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN
CMA(MD)No.1058 of 2011

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THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LTD.
10/18, KUPPANA, G.R.COMPLEX,
VELAYUTHAMPALAYAM,
KARUR.

... APPELLANT/SECOND RESPONDENT

Vs

1.DHANASEKAR
2.P.DEVARAJ

... 1ST RESPONDENT/PETITIONER
... 2ND RESPONDENT/1ST PETITIONER

Prayer :- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act against the Judgment and Decree made in M.C.O.P.No.18 of 2008, dated 28.02.2011, on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Dindigul.

Decree:- This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the Grounds of Appeal, the award of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.I.Suthakaran, Advocate for the Appellant and Mr.P.Satish Murugan for M/s.Hindu Associates, Advocate for the 1st Respondent, while partly allowing this appeal, this Court doth order and decree as follows:-

i)that the finding of the Tribunal made in MCOP.No.18 of 2008 dt.28.02.2011, on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Dindigul, be and hereby ia set aside and the Insurance Company is exonerated from the liability;

ii)that the owner of the car is be and hereby liable to pay the compensation to the claimant;

iii)that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



TO

The Chief Judicial Magistrate,
Motor Accidents Claims Tribunal.
Dindigul.

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Copy to:

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

+1 CC to M/s.I.SUTHAKARAN, Advocate, SR.No.9273

ORDER DATED : 01/03/2022

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DECREE

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CMA(MD)No.1058 of 2011

Nature of Decree:-Partly Allowing
the Civil Miscellaneous Appeal
preferred against the award and
decree dated 28.01.2011 made in
MCOP.No.18 of 2008 on the file of
the Chief Judicial Magistrate,
MACT, Dindigul, etc., as stated
within.

RK(29/03/2022) 2P 5C