



C.M.A.(MD)No.1362 of 2009

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.A. NAKKIRAN

C.M.A.(MD)No.1362 of 2009 and
MP(MD).Nos.1 and 2 of 2009

M/s. Oriental Insurance Company Limited,
Jambu Bala Complex,
29-B, Arcot Road,
Vellore.

... Appellant/Respondent

Vs.

1.Kamatchi

2.The General Manager,
Tamil Nadu State Express Transport Corporation,
Chennai.

3. Chandran

... Respondent

PRAYER: Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the Judgment and Decree in MCOP.No.2916 of 2002 on the file of the Motor Accidents Claims Tribunal, I Additional District Judge (PCR), Trichy, dated 14.08.2007.

For Appellant : M/s. C. Ramachandran

For respondents 1 and 2 : No appearance

For 3rd respondent : Dismissed vide order
dated 10.04.2019

* * * *



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JUDGMENT

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This Civil Miscellaneous Appeal has been filed by the appellant / Insurance Company against the Judgment and Decree made in MCOP.No.2916 of 2002 on the file of the Motor Accidents Claims Tribunal, I Additional District Judge (PCR), Trichy, dated 14.08.2007.

2. The appellant / Insurance Company is the 3rd respondent in M.C.O.P.No.2916 of 2002. The 1st respondent / claimant filed a claim petition before the Motor Accidents Claims Tribunal, I Additional District Judge (PCR), Trichy, claiming a sum of Rs.1,00,000/- as compensation, for the injuries sustained by her in the accident that occurred on 23.10.2001.

3. The Tribunal, considering the pleadings, oral and documentary evidence, awarded total sum of Rs.18,000/- as compensation.

4. Aggrieved against the Award passed by the Tribunal, the appellant / Insurance Company has filed the present Civil Miscellaneous



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Appeal.

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5. Today, when the matter was taken up for hearing, the learned counsel appearing for the appellant / Insurance Company submitted that the appellant concedes with the Award passed by the Tribunal and he is not willing to proceed with the appeal.

6. In view of the said submission made by the learned counsel for the appellant / Insurance Company, the Civil Miscellaneous Appeal is dismissed by confirming the Award, dated 14.08.2007, made in M.C.O.P.No.2916 of 2002, on the file of the Motor Accident Claims Tribunal / I Additional District Judge (PCR), Trichy. The appellant / Insurance Company is directed to deposit the entire award amount to the credit of M.C.O.P.No.2916 of 2002, on the file of the Motor Accident Claims Tribunal / I Additional District Judge (PCR), Trichy, less the amount already deposited, if any, along with interest at the rate of 7.5% per annum from the date of petition till date of realization and proportionate costs, within a period of six weeks from the date of receipt of a copy of this Judgment.



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7. On such deposit being made, the 1st respondent / claimant is entitled to withdraw the award amount with interest by making necessary application before the Tribunal. No costs. Consequently, the connected Miscellaneous Petitions are closed.

14.09.2022

Index :Yes/No
Internet :Yes/No
trp

To

1. The Motor Accidents Claims Tribunal /
I Additional District Judge (PCR), Trichy

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



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A.A. NAKKIRAN, J.,

trp

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