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C.M.A.(MD)No.972 of 2009

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.A. NAKKIRAN

C.M.A.(MD)No.972 of 2009

Iffco – Tokio General Insurance Company Ltd.,
Thulasi Chamber III Floor,
195, TV Samy Road (W),
RS puram, Coimbatore – 641 002. ... Appellant/Respondent

Vs.

1.A.Shantha
2.Mohanraj ... Respondents

PRAYER: Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgement and decree in MCOP.No.489 of 2006, dated 30.04.2009, on the file of the Motor Accident Claims Tribunal, Subordinate Court, Karur.

For Appellant : Mr. V. Sakthivel

For respondent No.I: Mr.M.Karthikeya Venkatachala pathy

* * * * *



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JUDGMENT

This Civil Miscellaneous Appeal has been filed by the appellant / Insurances Company against the award, dated 30.04.2009, made in MCOP.No.489 of 2006, on the file of the Motor Accident Claims Tribunal Subordinate Court, Karur.

2. The appellant / Insurance Company is the 2nd respondent in M.C.O.P.No.489 of 2006. The 1st respondent / claimant filed a claim petition before the Motor Accident Claims Tribunal, Subordinate Court, Karur, claiming a sum of Rs. 10,00,000/- as compensation, for the injuries sustained by him in the accident that occurred on 26.04.2006.

3. The Tribunal, considering the pleadings, oral and documentary evidence, awarded a total sum of Rs.2,83,000/- as compensation.

4. Aggrieved against the Award passed by the Tribunal, the appellant / Insurance Company has filed the present Civil Miscellaneous 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 30.04.2009, made in MCOP.No.489 of 2006, on the file of the Motor Accident Claims Tribunal Subordinate Court, Karur. The appellant / Insurance Company is directed to deposit the entire award amount to the credit of M.C.O.P.No.489 of 2006, on the Motor Accident Claims Tribunal, Subordinate Court, Karur, after deducting 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.

7. On such deposit being made, the 1st respondent/claimant is



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entitled to withdraw the award amount with interest by making necessary application before the Tribunal. No costs.

09.09.2022

Index :Yes/No
Internet :Yes/No
trp

To

1. The Motor Accident Claims Tribunal, Subordinate Court, Karur.
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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