



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

( Civil Appellate Jurisdiction )

Tuesday, the Eleventh day of January Two Thousand Twenty Two

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PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD) . No.699 of 2020

P.L.ALAGAPPAN,  
S/o. Palaniappan No.221A Pesant Nagar ,  
Chokkikulam Madurai - 2..

... Appellant/5<sup>th</sup> respondent

Vs

1 Keerthiraja, ... 1<sup>st</sup> respondent/petitioner

2 N.Karthick,

3 Natrayan, ... R2 and R3/R1 and R2

4 The Divisional Manager,  
The New India Assurance Company Limited,  
No.3, Main Road, Dindigul - 1..

... R4/R3

5 M. Kalimuthu, ... R5 /R4

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Subordinate Judge, Dindigul, dated 12.07.2019. made in M.C.O.P.No. 325 of 2017 .

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Monday , the sixth day of December Two Thousand Twenty One and upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of P.ATHIMOOLAPANDIAN, Advocate for the Appellant and of Mr. A.SARAVANAN, Advocate for respondent 1 ,M/s. S.VIJAYASHANTHI Advocate for Respondents 2 AND 3, Mr.A.Ilango, Advocate for the respondent 4, and this court having stood over for consideration till this date, while allowing the CMA ,and modify the liability doth order and decree as follows:-

<https://hcservices.ecourts.gov.in/hcservices/>

(1) That only the appellant in CMA(MD) 931 of 2019 be and hereby is liable to pay the entire Compensation.



(2) That the Appeallant herein be and hereby is entitled to get deposited amount.

(3) That there be no costs.

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Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Special Subordinate Judge, Dindigul,  
The MOTOR ACCIDENT CLAIMS TRIBUNAL.  
Dindigul,

Copy to:

The Section Officer,  
V.R. Section,  
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.P.ATHIMOOLA PANDIYAN, Advocate ( SR-1227 dated 11/01/2022 )

+1 CC to M/s.A.SARAVANAN, Advocate ( SR-1101 dated 11/01/2022 )

ORDER DATED : 11/01/2022

=====  
DECREE  
=====

CMA(MD). No.699 of 2020

Nature of Decree:- Allowing  
the Civil Miscellaneous  
Appeal preferred against the  
judgment and decree of the  
the Subordinate Judge,  
Dindigul, dated 12.07.2019.  
made in M.C.O.P.No. 325 of  
2017 .

MGJ(21.02.2022) 2P 6C