



C.M.A.(MD)No.990 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.A. NAKKIRAN

C.M.A.(MD)No.990 of 2018

The District Collector,
Sivagangai District,
O/o. The District Collector,
Maruthupandiyar Nagar,
Sivagangai Town,
Sivagangai District.

... Appellant/ 2nd Respondent

Vs.

1.G.Karthikeyan
2.S.Arulnanthu

... Respondents

PRAYER: Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree passed by the Motor Accidents Claims Tribunal / Chief Judicial Magistrate, Sivagangai in MCOP.No.60 of 2011 on 07.12.2015.

For Appellant : M/s. T. Vilavan Kothai

For respondents 1 and 2 : No appearance

* * * *

JUDGMENT

This Civil Miscellaneous Appeal has been filed against the Judgment and Decree passed by the Motor Accidents Claims Tribunal /



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Chief Judicial Magistrate, Sivagangai in MCOP.No.60 of 2011 on 07.12.2015.

2. The appellant is the 2nd respondent in M.C.O.P.No.60 of 2011. The 1st respondent / claimant filed a claim petition before the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Sivagangai, claiming a sum of Rs.1,00,000/- as compensation, for the injuries sustained by him in the accident that occurred on 03.11.2009.

3. The Tribunal, considering the pleadings, oral and documentary evidence, awarded total sum of Rs.1,07,000/- as compensation.

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

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



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proceed with the appeal.

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6. In view of the said submission made by the learned counsel for the appellant, the Civil Miscellaneous Appeal is dismissed by confirming the Award, dated 03.11.2009, made in M.C.O.P.No.60 of 2011, on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate, Sivagangai. The appellant is directed to deposit the entire award amount to the credit of M.C.O.P.No.60 of 2011, on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate, Sivagangai, 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.

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.

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Index :Yes/No
Internet :Yes/No
trp



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To

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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.,

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