



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

Tuesday, the Twenty Ninth day of March Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMA(MD). No.634 of 2014

National Insurance Company Limited
represented by its Branch Manager
Erode.

..Appellant/4th Respondent

Vs

1 C.KANTHA
2 C.THILAKAR
3 C.BASKAR

..Respondents 1 to 3/Petitioners 1 to 3

4 M/S.MANGAL EXPORTS,
82/41 A, SAMPATHNAGAR EXTENTION, SANJAI NAGAR,
ERODE 638 001.

..4th Respondent/1st Respondent

5 THE BRANCH MANAGER,
ROYAL SUNDARAM ALLIANZ INSURANCE COMPANY LIMITED,
46,WHITES ROAD,
CHENNAI-14.

..5th Respondent / 2nd Respondent

6 K.S.SENTHILNATHAN

..6th Respondent / 3rd Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Acccident Claims Tribunal / Additional District Judge/Fast Track Court No.II, Tuticorin, dated 27.04.2011 made in M.C.O.P. No.191 of 2008.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of **Mr.R.SRINIVASAN**, Advocate for the Appellant and of MR.I.ROBERT CHANDRA KUMAR for Mr.S.SENTHIL SANAKARNATHA KUMAR, advocate for Respondents 1 to 3 and Mr.S.SRINIVASA RAGHAVAN, Advocate for 5th Respondent, none appearance for 4th respondent either in person or through an advocate, this Court doth order and decree as follows:-



(1) That the award passed by the Motor Acccident Claims Tribunal. Additional District Judge/Fast Track Court No.II, Tuticorin, dated 27.04.2011 made in M.C.O.P. No.191 of 2008 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

(2) that the Appellant/Insurance Company be and hereby is directed to deposit the entire amount awarded by the Tribunal i.e., Rs.6,36,500/- (Rupees Six Lakhs Thirty Six Thousand and Five Hundred only), together with interest at the rate of 7.5% per annum (if not already deposited) to the credit of MCOP No.191 of 2008, on the file of the Motor Acccident Claims Tribunal. Additional District Judge/Fast Track Court No.II, Tuticorin, within a period of 8 weeks from the date of receipt of copy of this order.

(3) that the respondents 1 to 3 / Claimants be and hereby are permitted to withdraw the same, in the manner known to law.

(4) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Additional District Judge,
Motor Acccident Claims Tribunal,
Fast Track Court No.II,
Tuticorin,

Copy to:

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

+1CC to M/s.R.SRINIVASAN, Advocate (SR-15123 dated 29/03/2022)

+1CC to M/s.S.SRINIVASA RAGHAVAN, Advocate (SR-15172 dt 29/03/2022)

+1CC to M/s.S.SENTHILSANKARANATHAKUMAR, Adv.(SR-15558 dt 31/03/2022)



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CMA(MD). No.634 of 2014

ORDER DATED : 29/03/2022

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DECREE

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CMA (MD) . No.634 of 2014

Nature of Decree:-

Dismissing the Civil
Miscellaneous Appeal preferred
against the
judgment and decree of the Motor
Acccident Claims Tribunal /
Additional District Judge/Fast
Track Court No.II, Tuticorin,
dated 27.04.2011 made in
M.C.O.P. No.191 of 2008.

MGJ(11.05.2022) 3P 7C