



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(CIVIL APPELLATE JURISDICTION)**

**FRIDAY, THE ELEVENTH DAY OF MARCH TWO THOUSAND AND TWENTY TWO
PRESENT**

THE HON`BLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HON`BLE MR.JUSTICE N.SATHISH KUMAR

CMA(MD) . NO.1273 OF 2015

THE BRANCH MANAGER,
ROYAL SUNDARAM ALLIANCE INSURANCE CO LTD.,
TVS CO -OP STORES BUILDING,
37, KRISHNA ROAD, TANK STREET,
MADURAI-625 001 ... Appellant/2nd Respondent

Vs

1 NAGARAJAN

2 K.PARAMESWARI ... Respondents 1 & 2/Petitioners

3 P.SIVASANKAR

4 M.KALAVATHI

5 THE BRANCH MANAGER,
NEW INDIA ASSURANCE CO LTD.,
NO.83, T.S.R. BIG STREET,
KUMBAKONAM, THANJAVUR DISTRICT.

6 KANTHIMATHI ... Respondents 3 to 6/Respondents 1,3 to 5

Prayer:-

Civil Miscellaneous Appeal filed under Section 173(1) of Motor Vehicles Act, 1988, praying this Court to set aside the award made in M.C.O.P. No. 1981 of 2009, dated 16.12.2014, on the file of the V Additional District Court cum Motor Accidents Claims Tribunal, Madurai.

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. S. SRINIVASA RAGHAVAN, Advocate for the Appellant and of MR. G.VIDHYA MAHESWARAN, Advocate for the 1st respondent, MR. W.SATHASIVAM, Advocate for the 2nd respondent, MR.J.S. MURALI, Advocate for the 5th respondent, in pursuance of the 6th respondent is now no more and her legal heirs are already on records as Respondents 1 and 2 herein/Claimants, this Court doth order and decree as follows:-



(1) That the award passed by the V Additional District Court cum Motor Accidents Claims Tribunal, Madurai made in M.C.O.P. No. 1981 of 2009, dated 16.12.2014, be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed.

(2) That the award amount shall be split between respondents 1 and 2 /claimants 1 and 2 equally;

(3) That the respondents 1 and 2 herein/Claimants shall entitle to withdraw the entire award amount with accrued interest;

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

The V Additional District Judge,
MOTOR ACCIDENT CLAIMS TRIBUNAL, Madurai.

Copy to:

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

+1 CC to M/s.K.MALAIMARAN, Advocate (SR-11612 dated 11/03/2022)

+1 CC to M/s.J.S.MURALI, Advocate (SR-11657 dated 11/03/2022)

+1 CC to M/s.S.SRINIVASA RAGHAVAN, Advocate (SR-11709
dated 11/03/2022)



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CMA(MD). No.1273 of 2015

ORDER DATED : 11/03/2022

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DECREE

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CMA(MD) . No.1273 of 2015

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the award of the made in M.C.O.P. No. 1981 of 2009, dated 16.12.2014, on the file of the V Additional District Court cum Motor Accidents Claims Tribunal, Madurai.

SE (CO)
GC (28.03.2022) 3P 7C