



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

Tuesday, the Nineteenth day of April Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

AND

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMA(MD) . No.1121 of 2018

THE BRANCH MANAGER,
THE ORIENTAL INSURANCE CO.LTD.,
4, HEADQUARTERS ROAD, RVR BUILDING II FLOOR,
COIMBATORE-641 018. ..Appellant/2nd Respondent

Vs

1 THOMAS JOHN
2 SHAWN JOHN
3 SHEENA JOHN ..Respondents 1 to 3/
Petitioners 1 to 3

(Susan Clifton,
Rep by their Power of Attorney was
recognised as power of Attorney
on behalf of Respondents 1 to 3
vide court order dated 13.04.22
made in CMP(MD) No.3523 & 3525 of 2022
in CMA(MD) Nos. 810 & 1121 of 2018

4 C.PACHIAPPAN ..4th Respondent/1st Respondent
5 SINNATHAMBY
(4th & 5th Respondents remained
exparte before the Lower Court)

6 THE BRANCH MANAGER,
RELIANCE GENERAL INSURANCE CO.LTD. 2ND FLOOR,
PL.A.KANAGU TOWERS,15-A,THILLAINAGAR MAIN ROAD
11TH CROSS, TRICHY. ..Respondents 5&6 /Respondents 3 & 4

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of
Motor Vehicles Act, 1988 preferred against the judgment and decree
of the Motor Accidents Claims Tribunal (IV Additional District
Judge) Madurai, dated 19.12.2017 made in MCOP No.416 of 2012.



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. A. ILANGO**, Advocate for the Appellant and of **Mr.V.THIYAGARAJAN** for Respondents 1 to 3, **Mr.S. SRINIVASA RAGHAVAN** for 6th Respondent, none appearance for Respondents 4 & 5 in either in person or through Advocate, this Court doth order and decree as follows:-

(1) That the award passed by the judgment and decree of the Motor Accidents Claims Tribunal (IV Additional District Judge) Madurai, dated 19.12.2017 made in MCOP No.416 of 2012 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 compensation as apportioned by the Tribunal within eight weeks from the date of receipt of copy of this judgment.

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

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO
IV Additional District Judge,
Motor Accidents Claims Tribunal/
Madurai

Copy to:

- 1.The Branch Manager,
The Oriental Insurance Co.Ltd.,
4, Headquarters Road,
RVR Building II Floor,
Coimbatore-641 018.
- 2.The Branch Manager,
Reliance General Insurance Company Ltd.,
2nd Floor, PL.A.Kanagu Towers,
15-A, Thillainagar Main Road 11th Cross
Trichy.



3.The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.V.THIYAGARAJAN, Advocate (SR-19574 dated 20/04/2022)

+1 cc to Mr.A.Ilango Advocate Sr No.19656 dt 20.04.2022

ORDER DATED: 19/04/2022

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DECREE

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CMA (MD) . No.1121 of 2018

Nature of Decree:-

Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accidents Claims Tribunal (IV Additional District Judge) Madurai, dated 19.12.2017 made in MCOP No.416 of 2012

MGJ(11.05.2022) 3P 9C