



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

Tuesday, the Eleventh day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD) . No.931 of 2019

THE DIVISIONAL MANAGER,
The New India Assurance Company Ltd.
No.3 , Main Road Dindigul-1..

... Appellant/3rd Respondent

Vs

1 KEERTHIRAJA ... Ist Respondent/Petitioner

2 N.Karthick,

3 Natrayan

4 M. Kalimuthu

5 P.L.Alagappan ... Respondents 2 to 5/ Respondents
1,2,4 and 5

Prayer:-

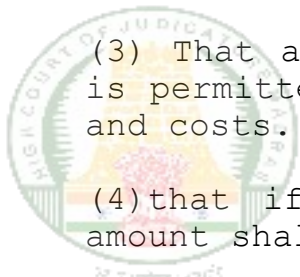
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Subordinate Judge, Dindigul, dated 12.07.2019, made in M.C.O.P.No. 325 of 2017 .

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 Mr.A.ELANGO, Advocate for the Appellant and of A.SARAVANAN, Advocate for the 1st respondent, M/s.S.VIJAYA SHANTHI, Advocate for the respondents 2 and 3 and Mr. ATHIMOOLAPANDIAN Advocate for respondent 4, and having stood over for consideration till date ,this Court while dismissing this CMA doth order and decree as follows:-

(1) That the award passed by the Subordinate Judge, Dindigul, dated 12.07.2019. made in M.C.O.P.No. 325 of 2017 be and hereby is confirmed .

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the entire amount of compensation , within a period of six weeks from the date of receipt of copy of order.



(3) That after depositing the amount , the claimant be and hereby is permitted to withdraw the entire amount , with accrued interest and costs.

(4) that if the appellant /Insurance Company deposited the excess amount shall be refunded to the insurance company.

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

The Subordinate Judge,
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 and 1228 dated 11/01/2022)

+1 CC to M/s.S.VIJAYASHANTHI, Advocate (SR-1330 dated 12/01/2022)

+1 CC to M/s.A.ILANGO, Advocate (SR-1597 dated 12/01/2022)

+1 CC to M/s.A.SARAVANAN, Advocate (SR-1101 and 1103 dated 11/01/2022)

ORDER DATED : 11/01/2022

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DECREE

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CMA(MD). No.931 of 2019

Nature of Decree:- Dismissing
the Civil Miscellaneous
Appeal 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 .