



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Monday, the Thirtieth day of January Two Thousand and Twenty Three

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PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD). No.188 of 2012

THE DIVISIONAL MANAGER,
IFFCO TOKYO GENERAL INSURANCE CO.LTD.
KFCMF BUILDING, III BLOCK,
III FLOOR, 8, CUNNINGHAM ROAD,
BANGALORE.

... Appellant/2nd Respondent

Vs

1. R.BOSE

... 1st Respondent/Petitioner

2. B.INDIRA

... 2nd Respondent/1st Respondent

Prayer:-

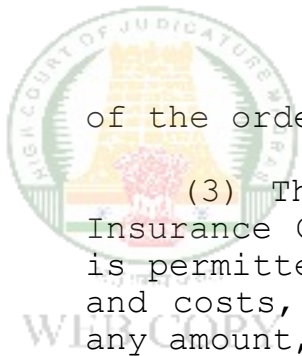
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the fair and decreetal order dated 04.10.2010 made in M.C.O.P. No. 530 of 2008 on the file of the Motor Accident Claims Tribunal (IV Additional Sub Judge), Madurai.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Friday, the Eighteenth day of November Two Thousand and Twenty Two, 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.K.GUHAN, Advocate for the 1st respondent, the 2nd respondent has not appeared either in person or by an Advocate, having stood over till the date of considerations, this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal (IV Additional Sub Judge), Madurai, dated 04.10.2010 made in M.C.O.P. No. 530 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 compensation of 96,800/-/- (Rupees. Ninety Six thousand and Eight hundred only) (if not already deposited) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit and with costs, within a period of eight (8) weeks from the date of receipt of copy



of the order;

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(3) That on such deposit being made by the appellant herein/ Insurance Company, the 1st respondent herein/Claimant be and hereby is permitted to withdraw the entire award amount along with interest and costs, on filing of proper petition before the Tribunal, less any amount, if already withdraw by him.

(4) That the 1st Respondent herein/Claimant be and hereby is not entitled for interest for the default period if there is any, and

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/02/2023

Sub Assistant Registrar(CS)

To

The IV Additional Sub 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.S.SRINIVASA RAGHAVAN, Advocate (SR-4719 dated 30/01/2023

+1 CC to M/s.K.GUHAN, Advocate (SR-4666 dated 30/01/2023)

ORDER DATED : 30/01/2023

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DECREE

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CMA(MD). No.188 of 2012

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal preferred against the judgment and decree against the fair and decretal order dated 04.10.2010 made in M.C.O.P. No. 530 of 2008 on the file of the Motor Accident Claims Tribunal (IV Additional Sub Judge), Madurai.



CMA(MD)



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