



C.M.A.(MD)No.601 of 2011

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

C.M.A.(MD)No.601 of 2011

and

M.P.(MD)No.1 of 2011

The Branch Manager,
United India Insurance Company Ltd.,
Sreeji Chambers,
Mount Road,
Coonoor-643 101.

... Appellant

Vs.

1.Mumpidathi

2.D.Panjabakesan

3.Dhanalakshmi

... Respondents

PRAYER: Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act, 1988, to set aside the judgment and decree dated 07.09.2009 passed in M.C.O.P.No.239 of 2007 on the file of the Additional Sub Judge, Tirunelveli.



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For Appellant : Mr.A.S.Mathiyalagan

For Respondents : No appearance

JUDGMENT

The present Civil Miscellaneous Appeal is filed, to set aside the judgment and decree dated 07.10.2009 passed in M.C.O.P.No.239 of 2007 on the file of the Additional Sub Judge, Tirunelveli.

2.Heard the learned Counsel appearing for the appellant and perused the materials available on record.

3.On perusal of the award passed by the Tribunal, the compensation is only a nominal amount of Rs.1,04,000/- (Rupees One Lakh and Four Thousand only). Hence, this Court is not inclined to interfere with the award passed by the tribunal in accordance with law. Hence, the award of the tribunal is hereby confirmed. In view of the same, the appellant is



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directed to deposit the entire compensation amount as awarded by the Tribunal with accrued interest and costs to the credit of M.C.O.P.No.239 of 2007 on the file of the Additional Sub Judge, Tirunelveli within a period of eight weeks (8) from the date of receipt of copy of this judgment, less the amount, if any already deposited. On such deposit, the claimants are permitted to withdraw the said amount, less the amount, if any already withdrawn, by making necessary application before the Tribunal.

4. With these observations and directions, this Civil Miscellaneous Appeal is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

01.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml



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To

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The Additional Sub Judge,
The Motor Accident Claims Tribunal,
Tirunelveli.

Copy to

The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.,

Sml

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