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CMA.No.2555 of 2024
and C.M.P.No.20348 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2024

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

C.M.A.No.2555 of 2024
and
C.M.P.No.20348 of 2024

The Manager,
ACKO General Insurance Company Limited,
Motor Third Party Claims Cell,
No.30, 3rd Floor, E-Wing, Lotus Corporate Park,
Goregaon (E), Mumbai - 400 063.

... Appellant

vs.

1. Adilakshmi
2. Narayanavanam Gopal Reddy
3.K.M.Srinivasan

... Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Award dated 01.08.2023 in M.C.O.P. 79 of 2022 on the file of the Motor Accident Claims Tribunal, Special District Court No.1, Tiruvallur.

For Appellant : Mr.B.Siva Kollapan

For RR1 and 2 : Mr.R.Navaneetha Krishnan



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J U D G M E N T

Questioning the jurisdiction of the Tribunal to try the claim petition in M.C.O.P. 79 of 2022, the Manager, the Acko General Insurance Company Limited has filed the present appeal.

2. Heard Mr.B.Siva Kollapan, learned counsel appearing for the appellant and Mr.R.Navaneetha Krishnan, learned counsel appearing for the respondents 1 and 2.

3. The only point urged in the present appeal filed by the appellant, the Acko General Insurance Company Limited, is that the Motor Accident Claims Tribunal, Tiruvallur, does not have jurisdiction since the claimants and the Insurance Company are located in the state of Andhra Pradesh. In this regard, the Insurance Company had already filed an application in I.A.No.2/2023 to decide the point of jurisdiction as a preliminary issue. The said petition was dismissed by the Tribunal on merits, vide its orders dated 17.03.2023, which has not been challenged



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by way of filing an appeal / revision. In the circumstances, the present appeal, based on the question of jurisdiction, cannot be sustained.

4. In the result,

i. The Civil Miscellaneous Appeal is dismissed. No costs.

Consequently, connected Civil Miscellaneous Petition is closed.

ii. The Award dated 01.08.2023 in M.C.O.P. 79 of 2022 on the file of the Motor Accident Claims Tribunal, Special District Court No.1, Tiruvallur, is upheld.

iii. The appellant, the Acko General Insurance Company Limited is directed to deposit the compensation amount i.e., Rs.19,35,400/- (less the amount already deposited) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit within a period of four weeks from the date of receipt of a copy of this order / uploading of this order to the credit of M.C.O.P. 79 of 2022 on the file of the Motor Accident Claims Tribunal, Tiruvallur, has filed the present appeal.



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iv. On such deposit being made, the appellants / claimants are at liberty
to withdraw the same, after following due process of law.

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Index : Yes/No
Speaking/Non-speaking order
mtl

To

1.The Motor Accidents Claims Tribunal,
Special District Court No.1, Tiruvallur.

2.The Section Officer, VR Section, Madras High Court, Chennai.



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R.HEMALATHA, J.

mtl

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