



C.M.A.No.1795 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2024

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.M.A. No.1795 of 2022

Chinnadurai

.. Appellant

vs.

The Manager,
United India Insurance Company Ltd.,
Branch Office,
No.50 A, Pallivasal Street,
Perambalur.

.. Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicle Act against the judgment and decree dated 12.03.2019 in M.C.O.P. No.271 of 2017 on the file of the Motor Accidents Claims Tribunal, Sub Court, Jayankondam.

For Appellant : Mr.S.Kaithamalai Kumaran

For Respondent : Mr.M.J.Vijayaraghavan

JUDGMENT

This appeal has been filed by the claimant, aggrieved by the dismissal of the Claim Petition by the Tribunal dated 12.03.2019 passed



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in M.C.O.P. No.271 of 2017.

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2.The appellant/claimant was admittedly not a driver of the vehicle, insured with the respondent/Insurance Company, who alone was covered under the subject insurance policy, which has been marked as Ex.P6. Admittedly, there is no additional premium paid by the insured for any additional person travelling in the insured lorry.

3.Even though the learned counsel for the appellant would contend that erroneously, the Tribunal has dismissed the Claim Petition filed by the appellant/claimant against the respondent/Insurance Company, this Court, after giving due consideration to the evidence available on record, is of the considered view that the Tribunal has rightly exonerated the liability of the respondent/Insurance Company, based on the un-disputed evidence that the appellant/claimant was travelling in the insured lorry only as a cleaner and the insurance policy/Ex.P6 also did not give coverage for any additional person as no additional premium was paid by the insured.

4.This Court does not find any infirmity in the findings of the Tribunal. Accordingly, this appeal is dismissed. No costs.

24.06.2024



vga

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To

- 1.The Motor Accidents Claims Tribunal,
Sub Court, Jayankondam.
- 2.The Section Officer,
V.R. Section, High Court, Madras.



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ABDUL QUDDHOSE, J.

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