

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2015

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

C.M.A. No. 193 of 2015

G. Manimaran ..Appellant/ Petitioners

Vs.

1. Mrs.D. Bommi

2. M/s. New India Assurance Co. Ltd.,
No.45, Moore Street,
Chennai -1.

..Respondents/ Respondents

Prayer: Civil Miscellaneous Appeal as against the judgment and decree dated 01.10.2012 passed in M.C.O.P. No. 3441 of 2006 by the Motor Accidents Claims Tribunal, IV Judge, Court of Small Causes, Chennai.

For Appellant :: Mr.T.G. Balachandran

J U D G M E N T

This Civil Miscellaneous Appeal has been preferred by the claimant aggrieved over the quantum of compensation to the tune of Rs. 1,88,046/- together with interest @7.5% per annum for the injuries sustained by the him in the accident, which occurred on 30.08.2006, while he was riding his motor cycle, which was hit from behind by a van, belonging to the 1st respondent and insured with the 2nd respondent.

2. Heard the learned counsel for the appellant.

3. The only question to be decided is with regard to the quantum of compensation awarded by the Tribunal.

4. According to the learned counsel for the appellant, only a sum of Rs.1800/- was awarded per percentage of disability whereas, at least, Rs.2000/- should have been awarded. Besides, the amounts awarded under other heads are also very low.

5. The Tribunal awarded Rs.26,046/- towards "Medical Expenses" as against the claim of Rs.30,400/-, stated to be Doctor's consultation fee, which was rightly rejected. Even if Rs.2000/- is awarded per percentage of disability, only a sum of Rs.8000/- would be required to be added to the amount awarded towards "Disability". However, a persual of the award would show that amounts awarded under other heads are reasonable and therefore, for the sake of addition of Rs.8000/-, the appeal cannot be admitted. Hence, the Civil Miscellaneous Appeal fails and the same is dismissed. No costs.

Sd/-
Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

nv

To

The registrar
Court of Small Casues
Chennai

1 cc to Mr.T.G. Balachandran, Advocate, sr. 8307

C.M.A. NO. 193 of 2015

TEJ (CO)
kk 4/3

सत्यमेव जयते

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