

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2015

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

C.M.A.NO.340 OF 2015

A.Arogiyam

.. Appellant/Petitioner

Vs.

1. M.Ganesan

2. The United Indian Insurance Co. Ltd.,
No.38, Anna Salai,
Chennai - 2.

(1st Respondent exparte in lower court) .. Respondents/Respondents

PRAYER: Civil Miscellaneous Appeal has been filed under Section 173 of the Motor Vehicles Act against the Judgment and Decree made in M.C.O.P.No.2130 of 1998 dated 24.06.2002 on the file of the V Small Causes Court, Chennai/Motor Accident Claims Tribunal, Chennai.

For Appellant : Mr.Ponnusami
for M/s.Anand and Suryas

JUDGMENT

This appeal has been preferred by the Claimant against the award of Rs.59,000/- of compensation for 45% disability sustained by him in the accident occurred on 04.04.1998.

2. Heard the learned counsel for the petitioner. He would submit that a sum of Rs.59,000/- awarded towards compensation is very less, as the claimant suffered 45% disability. However, a close scrutiny of the award would disclose that the claimant sustained fracture of thigh bone and he was operated.

3. Taking into consideration that a sum of Rs.20,000/- was awarded towards future loss of income ; a sum of Rs.5,000/- was awarded towards disability ; Rs.3,000/- was awarded towards loss of income for three months ; Rs.1,000/- was awarded towards transportation ; Rs.4,000/- was awarded towards nutrition ; Rs.200/-

was awarded towards damage of clothes ; and Rs.800/- was awarded towards medical expenses, which are very reasonable, Rs.59,000/- awarded as compensation along with interest at the rate of 12 % is confirmed as reasonable and just compensation. Therefore, the appeal fails and the same is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

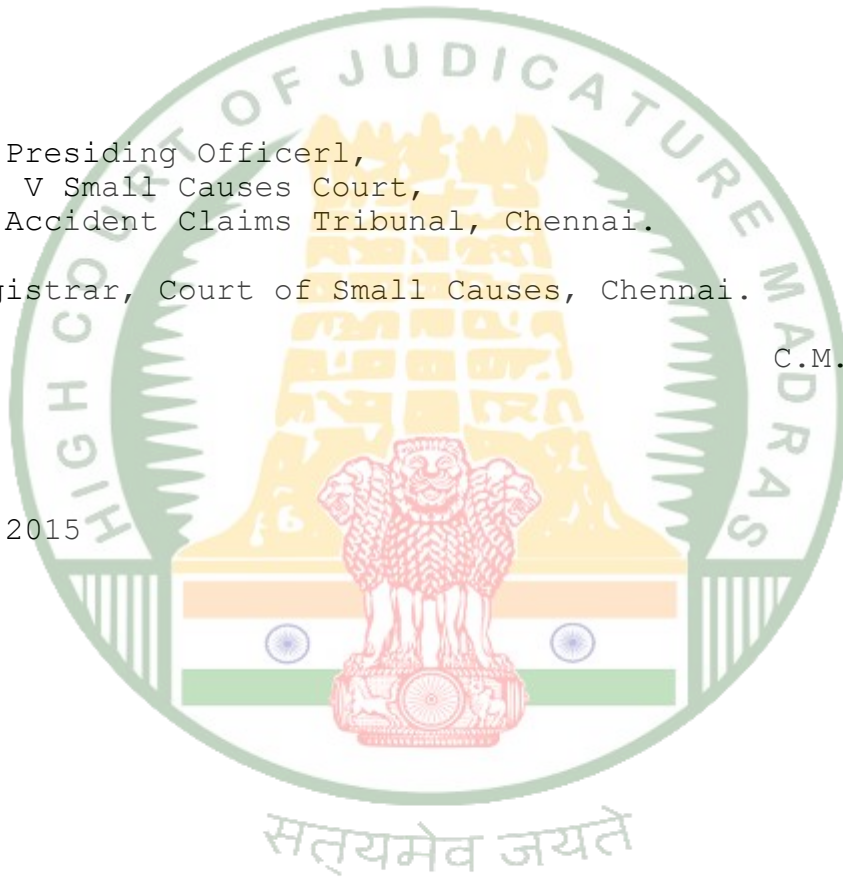
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To

1. The Presiding Officer,
The V Small Causes Court,
Motor Accident Claims Tribunal, Chennai.
2. The Registrar, Court of Small Causes, Chennai.

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