

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

C.M.A.NO.576 of 2015

Subramani ... Appellant / Petitioner

Vs.

1.Chandran
2.The Divisional Manager,
National Insurance Company Limited,
No.19, Officers Lane,
Vellore. ... Respondents / Respondents

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the decree and judgment dated 15.02.2012 made in M.A.C.T.O.P.No.1052 of 2006 on the file of Motor Accident Claims Tribunal, (Additional Subordinate Judge), Thiruvannamalai.

For Appellant : Ms. M.Malar

For Respondents : -

JUDGMENT

This appeal has been preferred by the claimant, aggrieved over the quantum of Rs.32,500/- awarded as compensation, for the injuries sustained by him, in the accident, which occurred on 21.05.2006, when he was travelling in the two wheeler, which was hit by the car, belonging to the first respondent, insured with the second respondent Insurance Company, driven rash and negligently.

2. Heard Mr.M.Malar, learned counsel appearing for the appellant.

3. The claimant sustained fracture of two fingers in the right leg and grievous injuries over right shoulder and right hand joint etc. Because of the injuries, he is unable to stand for a long time and he is unable to sit and squat. Based on P.W.3 Doctor's

evidence, 10% disability was determined by the Tribunal and awarded a sum of Rs.25,000/- for disability. Further, a sum of Rs.1,500/- was awarded towards loss of income during treatment period, Rs.2000/- each towards transportation, extra-nourishment and attender charges and Rs.5,000/- awarded towards pain and sufferings. Totally a sum of Rs.32,500/- was rightly given. No amount can be enhanced, in view of the nature of injuries sustained by the claimant, the appeal fails and the same is dismissed. No costs.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

rrg

To

The Motor Accident Claims Tribunal,
(Addl. Subordinate Judge),
Thiruvannamalai.

1 cc to Mrs. M. Malar, Advocate, Sr. 17735

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