

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2015

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

C.M.A. No. 741 of 2015

A.Elumalai

... Appellant/Petitioner

Vs.

1.S.Murugan

2.New India Assurance Co. Ltd.,
No.45, Moore Street,
Chennai - 600 001.

... Respondents/Respondents

Prayer: Civil Miscellaneous Appeal as against the judgment and decree dated 07.03.2014 passed in M.C.O.P. No. 3943 of 2003 by the Motor Accidents Claims Tribunal (VI Judge, Court of Small Causes), Chennai.

For Appellant : Ms.R.P. Bhuvaneshwari

J U D G M E N T

This Civil Miscellaneous Appeal has been preferred by the claimant, aggrieved over the quantum of Rs.1,00,000/- awarded as compensation, by the Motor Accidents Claims Tribunal (VI Court of Small Causes), Chennai, for the injuries sustained by him, in the accident, which occurred on 11.03.2003.

2. Heard the learned counsel for the appellant.

3. Though the learned counsel for the appellant would submit that the amount awarded towards "Permanent Disability", namely a sum of Rs.64,000/-, is too low, a perusal of the records would show that the appellant sustained hip injury and there was no surgery. Further, he suffered loss of teeth and the Tribunal, rightly, took the disability as 32% and awarded Rs.64,000/- @ Rs.2000/- per

percentage of disability. The other amounts awarded are also, quite, reasonable.

4. Hence, the award passed by the Tribunal, to the tune of Rs.1 lakh together with interest @ 7.5% per annum is sustained and the Civil Miscellaneous Appeal is dismissed. No costs.

5. The 2nd respondent is directed to deposit the entire award amount, with interest and costs, if not already deposited, within a period of four weeks from the date of receipt of a copy of this order. On such deposit being made, the appellant is permitted to withdraw the same within a period of one week thereafter.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

nv

To

The Motor Accident Claims Tribunal (VI Court of Small Causes),
Chennai.

+1cc to Mr.A.Shanmugaraj, Advocate (Not on Record), S.R.No.20251

C.M.A. No. 741 of 2015

CNR (CO)
CA (05/06/2015)

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