



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 23.1.2015

CORAM

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

C.M.A.No.97 of 2015

K.Ravikumar

Appellant

vs.

1. P.Solomon

2. Reliance General Insurance Company
Limited,
No.6, Haddows Road,
Nungambakkam, Chennai 600 006.

Respondents

Civil Miscellaneous Appeal as against the award dated 1.7.2014 made in M.C.O.P.No.5041/2012 on the file of the Motor Accident Claims Tribunal (III Court of Small Causes), Chennai.

For appellant : Mr.A.A.Venkatesan

JUDGMENT

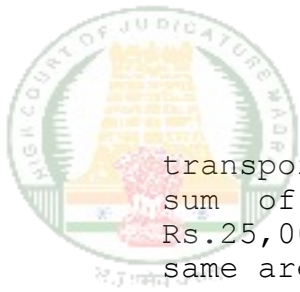
Appeal has been preferred by the claimant not satisfied with the compensation of Rs.1,31,000 awarded to him for the injuries sustained by him in the accident which occurred on 21.8.2012.

2. Heard the learned counsel for the appellant.

3. Since the claimant alone is before this court and the Insurance Company is not before this court, the only question to be gone into is the quantum of compensation awarded is adequate or not.

4. From PW4-Doctor's evidence it is clear that the respondent had sustained fracture of neck of humerus left hand and suffers reduction of movement by 30 degrees and thereby, the Tribunal fixed 30% disability. The said determination is based on PW4 Doctor's evidence and also other medical records viz., Exs.P4 to P10 and P12 to P17.

5. The Tribunal awarded a sum of Rs.1800/= for each per centage of disability and awarded a sum of Rs.54,000/= rightly. Similarly, for the treatment period, a sum of Rs.30,000 has been awarded towards loss of earning justifiably. A sum of Rs.5000/= awarded towards



transportation, a sum of Rs.7000/= awarded for extra nourishment, a sum of Rs.10,000/= awarded for medical expenses and a sum of Rs.25,000/= awarded towards pain and suffering are reasonable and the same are confirmed.

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6. There is no occasion for this court to interfere with the award passed by the Tribunal for enhancing the same. The appeal fails and the same is dismissed.

Sd/-

Assistant Registrar

Dated:18.2.15

True Copy

Sub Assistant Registrar

To

1. The Motor Accident Claims Tribunal,
III Small Causes Court, Chennai.

2. The Section Officer,
V.R. Section,
High Court,
Madras.

+1 cc to M/s.A.A.Venkatesan, Advocate, SR.4125.

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krd 3/3

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