



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Tuesday, the Twenty Seventh day of April
Two Thousand and Twenty One
PRESENT

The Hon'ble Mrs. Justice T. KRISHNAVALLI
CMA(MD).No.175 of 2015

WEB COPY

HDFC-ERGO General Insurance Co.Ltd.,
Rep.by its Divisional Manager,
559/528, 2nd Floor,
Anna Salai Tenampet,
Chennai.

Appellant/2nd Respondent

Vs

1.V.Ganesh

1st Respondent/Petitioner

2.S.Balasubramaniam

2nd Respondent/1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the award, dated 10/06/2014 made in M.C.O.P.No.237 of 2010 on the file of the Motor Accidents Claims Tribunal (IV Additional Subordinate Judge), Madurai.

DECREE:-This Civil Miscellaneous Appeal having come upon for hearing on Friday, the Twenty Ninth day of January Two Thousand and Twenty One, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.G.Maruthiah, Advocate for the Appellant, Mr.R.Saravanan, Advocate for the First Respondent and Second Respondent did not appeared either in person or by Advocate, and having stood over consideration till this date, and this court while Allowing this Appeal in Part and Modifying the award passed by the tribunal below, doth order and decree as follows:-

(1)That the award passed by the Motor Accident Claims Tribunal (IV Additional Subordinate Judge), Madurai, dated 10/06/2014 made in M.C.O.P.No.237 of 2010 be and hereby is enhanced to Rs.2,64,000/- (Rupees Two Lakhs Sixty Four Thousand Only) from Rs.2,28,040 and the rate of interest 7.5% p.a awarded by tribunal shall be maintained.

(2)that the Appellant herein/Insurance Company be and hereby is directed to deposit the modified award amount together with accrued interest and costs, less the amount already deposited, within a period of six weeks from the date of receipt of a copy of this judgment.

(3)that on such deposit being made, the 1st Respondent herein/1st Claimant be and hereby is permitted to withdraw the entire amount, less the amount already withdrawn if any.



(4) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (P&A)

// True Copy //

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Sub Assistant Registrar(CS)

TO

- 1.The Motor Accidents Claims Tribunal,
IV Additional Subordinate Judge, Madurai.

Copy to:

The Section officer, (2C)
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.R.Saravanan, Advocate in S.R.No.17847.

ORDER DATED : 27/04/2021

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DECREE

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CMA(MD) .No.175 of 2015

Nature of Decree:-While Allowing this Appeal in Part gainst the award of the Motor Accident Claims Tribunal (IV Additional Subordinate Judge), Madurai, made in MCOP.No.237 of 2010 dated 10/06/2014, etc,as stated within.

KB(28.05.2021) 2P 5C