

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 19.09.2016

CORAM

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

C.M.A. No.2065 of 2016
and C.M.P.No.15090 of 2016

United India Insurance Co. Ltd.,
Divisional Officer,
Jeeva Jothi Building,
Salai Road, Dindigul

.. Appellant

Vs.

1. C.Thilagavathy
2. M.Govindasamy
3. G.Kaliyammal
4. R.Nagamurugan
5. V.Velmurugan

.. Respondents

[R4 and R5 set ex-parte before the MACT]

Prayer: Appeal under Section 173 of the Motor Vehicles Act, 1988 against the Decree and Judgment passed by the Motor Accidents Claims Tribunal (Additional Sub Court), Tiruppur in MCOP No.1233 of 2009 dated 01.03.2012.

For Appellant : Mr.T.Ravichandran

JUDGMENT

(Order of the Court was made by S.MANIKUMAR, J.)

Being aggrieved by the award, dated 01.03.2012, made in M.C.O.P.No.1233 of 2009, on the file of the Motor Accidents Claims Tribunal

(Additional Sub Judge), Tiruppur, the United India Insurance Company Limited, Dindigul, has preferred this appeal.

2. Tribunal awarded compensation of Rs.13,10,700/- to the wife and parents of the deceased. Both the learned counsel for the parties, submitted that after negotiation, the quantum of compensation is now agreed to be reduced to Rs.12 Lakhs with interest, at the rate of 7.5% per annum from the date of claim, till deposit. Submission is placed on record. Therefore, this Court is not inclined to advert to the merits of the appeal.

3. Mr.T.Ravichandran, learned counsel for the appellant-United India Insurance Company Limited, Dindigul, submitted that four weeks time be granted to deposit the compensation.

4. In view of the above, the appeal is allowed in part. There shall be a reduction in compensation. The appellant-United India Insurance Company Limited, Dindigul, is directed to deposit the award amount now agreed with proportionate accrued interests and costs, less the amount already deposited, to the credit of MCOP No.1233 of 2009, on the file of the Motor Accidents Claims Tribunal (Additional Sub Court), Tiruppur, within a period of four weeks

from the date of receipt of a copy of this order. On such deposit being made, the respondents/claimants are permitted to withdraw the same, by making necessary applications before the Tribunal. No costs. Consequently, connected Miscellaneous Petition is also closed.

[S.M.K., J.] [N.A.N., J.]
19.09.2016

Index: Yes/No
Internet: Yes/No
ars

To

1. Motor Accidents Claims Tribunal,
Additional Sub Court, Tiruppur
2. The Section Officer,
VR Section, High Court, Madras.

S.MANIKUMAR.J,
and
N.AUTHINATHAN.J,
ars

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