



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the First day of June Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CMA(MD) No.242 of 2013

The Oriental Insurance Company Limited,
Rep by its Divisional Manager,
Bangur Dharmasala Building
3rd Floor, 6-A-West Veli Street,
Madurai.

.. Appellant/2nd Respondent

vs.

1.A.Ramanathan
2.Minor R.Patchaiyappan
3.Minor R.Prakash .. Respondents 1to3/ Petitioner 1to 3
(Minors 2nd &3rd Respondents
Rep.through their father and
next friend, 1st Respondent
A.Ramanathan)

4.P.Latha .. 4th Respondent/1st Respondent

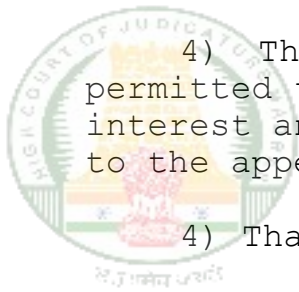
Civil Miscellaneous Appeal filed against the award of the Motor Accidents claims Tribunal cum VIth Additional District Judge, Madurai, passed in MCOP.No.2098/2009, dated 06.08.2012.

DECREE : This Appeal coming on for hearing on this day, upon perusing the grounds of appeal, award of the lower Court, and the material papers in this appeal, and upon hearing the arguments of MR.K.BHASKARAN, Advocate for the appellant, of Mr.K.K.KUMARAVEL, Advocate for the Respondents, this Court while allowing this appeal in part, doth order and decree as follows :-

1) That the Award passed by the Motor Accidents claims Tribunal (VIth Additional District Judge), Madurai be and hereby is reduced from Rs.6,75,000/- to Rs.6,39,000/- (Rupees Six Lakhs Thirty Nine thousand Only).

2) That the Claimants are entitled for the modified Compensation of Rs.6,35,000/- with interest at the rate of 7.5% Per annum from the rate of petition till the rate of payment.

3) That the first Claimant is hereby entitled to withdraw a sum of Rs.1,39,000/-



4) That the Second and Third Claimants be and hereby are permitted to withdraw a sum of Rs.2,50,000/- each with Proportionate interest and costs, that the excess amount if any, shall be refunded to the appellant/Insurance Company.

4) That there be no order as to costs.

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sd/-

Assistant Registrar

Sub-Assistant Registrar (C.S.)

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To

The Vi Additional District Judge,
Motor Accidents Claims Tribunal,
Madurai.

Copy To : The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.K.Kumarval, Advocate Sr.No.27373
+1CC to Mr.K.Bhaskaran, Advocate Sr.No.27298

GJM/ARK/PV/SAR-I-4.7.16-3p-5c

DATED : 01.06.2016

DECREE

IN

CMA(MD) No.242 of 2013

Nature of the DECREE :
Modifying the award passed by
the Vith Additional District
Judge (Motor Accident Claims
Tribunal), Madurai in M.C.O.P.
No.2098/2009, dated 06.08.2012
etc., as stated within.