



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Twenty fifth day of November Two Thousand and Sixteen

P R E S E N T

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.A(MD)No.826 of 2015

1.V.Parthiban

2.P.Veerayee

.. Appellants

Vs.

1. Raja Mohamadu

2. M/s.United India Insurance Co. Ltd.,
12A, Kovai Road,
P.L.A. Building, 2nd Floor,
Karur- 639 002.

.. Respondents

Civil Miscellaneous Appeal under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree of the Motor Accidents Claims Tribunal/ 1st Additional District Judge, Madurai dated 25.09.2014 made in M.C.O.P.No.1429 of 2010.

ORDER: This Appeal coming on for hearing on this day upon perusing the petition of Appeal, the order of the Lower Court, and the material papers in this appeal and upon hearing the arguments of Mr.N.Sudhagar Nagaraj, Advocate for the appellants and of MR.Mr.A.S.Mathialagan, Advocate for the 2nd respondent, and the first respondent not appearing either in person or through an Advocate, this Court, while allowing the Appeal, doth order and decree as follows:-

i. that the award passed by the of Motor Accident Claims Tribunal/ 1st Additional District Judge, Madurai in MCOP.No.1429 of 2010 dated 25.09.2014 is set aside;

ii. that the total award of compensation of Rs.3,00,000/- (Rupees Three Lakhs only) awarded by the Tribunal be and hereby is enhanced to Rs.5,00,000/- (Rupees Five Lakhs only) along with interest of 7.5% per annum from the date of presentation of the application till the date of deposit for the enhanced compensation;



iii. that the second respondent shall deposit the enhanced compensation amount along with accrued interest within a period of four weeks from the date of receipt of a copy of this order;

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iv. that the Appellants be and hereby are permitted to withdraw the entire award amount with accrued interest through RTGS by filing necessary application before the Tribunal and

v. that there be no costs.

Sd/

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar(CS)

To

The Motor Accident Claims Tribunal/
1st Additional District Judge, Madurai.

Copy to:

The Record Keeper, VR Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.N.Sudhagar Nagaraj, Advocate in SR.No.73092

+1cc to Mr.A.S.Mathialagan, Advocate in SR.No.72742

ORDER DATED : 25.11.2016

DECREE

C.M.A (MD) No.826 of 2015

Nature of the **DECREE**:- Allowing the appeal preferred against the judgment and decree dated 25.09.2014 made in MCOP.No.1429 of 2010 on the file of the Motor Accident Claims Tribunal/ 1st Additional District Judge, Madurai.

vsa

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