



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY
PRESENT:

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.612 of 2011

Ravi ... Appellant/Petitioner
Vs.

1.R.Ramasamy

2.ICICI Lombard General Insurance Co. Ltd.,
Chottabai Centre, 2nd & 3rd Floor,
Nungambakkam Main Road,
Chennai - 34.

... Respondents/Respondents

Appeal against the Judgment and Decree of the Court of the Motor Accident Claims Tribunal cum Additional Subordinate Court, Salem dated 08.08.2009 made in MCOP.No.822 of 2006.

DECREE: This Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the order of the Lower Court and the material records in this case and upon hearing the arguments of Mr.C.Kulanthaivel, Counsel for the Appellant and of M/s.R.Sreevidhya, Counsel for the 2nd Respondent and of the Fifth Respondent having been given up and that the appellante herein/Claimant having paid necessary court fee in respect of the enhanced award amount while filing of this Civil Miscellaneous Appeal itself and this court while observing that the appellant herein/Claimant shall not be entitled to carry interest for the delay period (i.e 92 days) in filing the appeal and while allowing this Civil Miscellaneous Appeal in part and in modification and this Court doth order and decree as follows:-

1.That the compensation awarded by the Tribunal be and hereby is enhanced from Rs.2,08,672/- (Rupees Two Lakhs and Eight Thousand and Six hundred and Seventy Two only) to Rs.2,58,672/- (rupees Two Lakhs and Fifty Eight Thousand and Six hundred and seventy Two only)

2.That the 2nd Respondent herein/Insurance Company be and hereby is directed to deposit the compensation of Rs.2,58,672/- (Rupees Two Lakhs And Fifty Eight Thousand and Six Hundred and Seventy Two only) together with interest at 7.5% per annum from the date of claim petition till the date of deposit except for the period of delay and proportionate costs, awarded by the Tribunal less any 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, that the appellant herein/Claimant be and hereby is permitted to withdraw the same together with interest and costs, less any amount already withdrawn, by filing suitable application before the Tribunal.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jen

To

Motor Accident Claims Tribunal,
Additional Subordinate Court, Salem.

Copy To

The Section Officer,
V.R. Section, High Court,
Madras. (2 copies)

+1cc to Mr.C.Kulanthaivel, Advocate, S.R.No.42665

DATED: 21.12.2020

DECREE:

C.M.A.No.612 of 2011

Allowing this Civil Miscellaneous Appeal in part and in modification preferred against the Judgment and Decree passed by the Motor Accident Claims Tribunal cum Additional Subordinate Court, Salem dated 08.08.2009 made in MCOP.No.822 of 2006 etc., as stated within.

KJ(CO)
GN(25/08/2021)