



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

Thursday, the Twelfth day of October, Two Thousand and Seventeen

WEB COPY

PRESENT

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.A. (MD) No.1062 of 2015

1.Sekar
2.Chandra
3.Pandikannu
4.Minor.Iswarya
(Sister of deceased Samayamuthu @ Prabu
Minor Represented by her next friend and
father 1st respondent) ... Appellants/Petitioners.

Vs.

1.M.Ravi
2.M/s.The Oriental Insurance Company Limited,
Represented by its Divisional Manager,
Divisional Office,
West Veli Street,
Madurai-625 001. ... Respondents/Respondents.

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicle Act, 1988 against the judgment and decree dated 27.09.2013 and made in M.C.O.P.No.38 of 2013 on the file of the learned Special District Judge (for MCOP Cases), Madurai.

DECREE: This Civil Miscellaneous Appeal is coming on for orders on this day and upon perusing the grounds of Appeal, the order of the Special District Judge (for MCOP Cases), Madurai and the material papers in these Appeals and upon hearing the arguments of Mr.Singaravadivelan, Advocate for the Appellants and of Mr.K.Bhaskaran, Advocate for the 2nd respondent, this Court while allowing the appeal and in modification of the award of the tribunal below, doth order and decree as follows:-

1. that the Order and Decree of the Special District Judge (for MCOP Cases), Madurai dated 27.09.2013 made in MCOP No.38 of 2013 be and hereby is modified by enhancing from Rs.3,24,000/- (Rupees Three Lakhs and Twenty Four Thousand only) to Rs.4,54,000/- (Rupees Four lakhs and Fifty Four Thousand Only);

2. that the second respondent be and hereby is directed to deposit the balance of the enhanced amount within 12 weeks from



the date of receipt of a copy of this order;

3. That the Claimants be and hereby are entitled to take the said amount in the same proportion as fixed by the Tribunal;

4. In all other aspects, the decree of the Tribunal do stand; and

5. that there be no costs in the Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(C.O.)

/True Copy/

Sub Assistant Registrar.

To

The Special District Judge (for MCOP Cases), Madurai.

Copy to:

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

+1CC to Mr.K.Bhaskaran, Advocate, SR.No. 82531

DATED : 12.10.2017

DECREE

C.M.A.(MD)No.1062 of 2015

Allowing this Civil Miscellaneous Appeal preferred against judgment and decree passed by the Special District Judge (for MCOP Cases), Madurai made in MCOP No. 38 of 2013 dated 27.09.2013 etc., as stated within.

AM/KK/SAR 2/18.12.2017/2P/4C