



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A. (MD) No.1049 of 2016

and

C.M.P. (MD) .No.9411 of 2016

National Insurance Company Limited,
63, Rasi Plaza,
West Prathatchanam Road,
Karur.

... Appellant/Respondent No.2

Vs.

1.N.Anand

... Respondent No.1/Petitioner

2.N.Selvi

... Respondent No.2/Respondent No.1

PRAYER: Appeal filed under Section 173 of M.V.Act, 1988, to set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Principal Sub Court, Karur, in M.C.O.P.No.81 of 2012 dated 27.07.2012.

For Appellant	:	Mr.D.Sivaraman
For Respondents	:	Mr.N.Sudhagar Nagaraj for R1
	:	No Appearance for R2

JUDGMENT

Heard the learned counsel on either side.

2.The insurer has filed this appeal questioning the impugned award on the ground of quantum. The claimant was a boy aged about 17 years at the time of the accident. It is a case of amputation on his left hand. A sum of Rs.10,80,400/- alone was passed by the Tribunal. By no stretch of imagination, it can be said to be excessive. I find no merit in this appeal.

3.Therefore, the award dated 27.07.2012, made in M.C.O.P.No.81 of 2012, on the file of the Motor Accident Claims Tribunal, Principal Sub Court, Karur, is confirmed.

4.The appellant is directed to deposit the compensation amount of Rs.10,80,400/- with interest at the rate of 7.5% per annum with costs, from the date of petition till the date of realization, of eight weeks from the date of receipt of a copy of this judgment less the amount already deposited, if any. On such deposit, the first respondent/claimant is entitled to withdraw the



same, less the amount already withdrawn by him, if any, by filing proper application before the Tribunal.

5. This Civil Miscellaneous Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

WEB COPY

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

The Principal Sub Judge,
Motor Accident Claim Tribunal, Karur.

Copy to :

1. Mrs. N. Selvi,
W/o. Natarajan,
D/o. 5/38, Kullampatti,
Kakkavadi Post, Karur -2.

2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1cc to Mr. D. Sivaraman, Advocate, SR.No.92543.

+1cc to Mr. N. Sudhagar Nagaraj, Advocate, SR.No.92703.

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TSG

RAM/SKN RSK/SAR 4/27.06.2018/2P/7C