



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Eighteenth day of December, Two Thousand and Eighteen
present

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

C.M.A. (MD) No.170 of 2017

S.Hariharan

... Appellant in C.M.A.No.170 of 2017

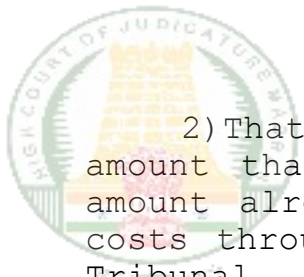
Vs.

1. K.Ganeshan
2. United India Insurance Company Limited,
Door No.78, Kamaraj Salai,
Kaveri Nagar,
Kulithalai, Karur
Through its Branch Manager ... Respondents

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 to allow these appeal and enhance the award amount made in MCOP No.566 of 2014, on the file of the Motor Accident Claims Tribunal, (Special Sub Court), Tirunelveli dated 23.09.2016.

DECREE: This Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, award of the Tribunal below and the material papers of the appeal and upon hearing the arguments of Mr.T.Selvakumaran, Advocate for the Appellant and of Mr.B.Rajesh Saravanan, for R2 and of no appearance for R1, as directed by this Court, the Appellant has paid Rs.221/- (Rupees Two Twenty one Rupees) the Court for the enhanced amount vide memo in SR.No.44496/2018, this Court while allowing the Appeal, in part doth order and decree as follows:

1) That, the United India Insurance Company Limited/Second Respondent be and hereby is directed to pay the compensation amount as modified by this Court along with proportionate interest and costs from the date of petition till the date of realisation, less the amount already deposited if any, to the credit of MCOP No.566 of 2014, dated 23.09.2016, on the file of the Motor Accident Claims Tribunal, Special Sub Court, Tirunelveli, within a period of eight weeks from the date of receipt of a copy of this Judgment.



2) That, the claimant/appellant shall be permitted to withdraw his amount that would be deposited by the Insurance Company, less the amount already withdrawn, if any, with proportionate, interest and costs through RTGS/NEFT by filing necessary Application before the Tribunal.

3. That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Special Sub Judge,
(Special Sub Court), Motor Accident Claims Tribunal,
Tirunelveli,
2. The Record Keeper, Vernacular Section, (2 copies)
Madurai Bench of Madras High Court, Madurai.

Copy to

K. Ganeshan
S/o. Kaliyamoorthi,
No. 35/7, 4th Street,
Thirumurugan Nagar,
Musiri Post, Musiri Taluk,
Trichy District.

DATED: 18/12/2017

DECREE

C.M.A. (MD) No. 170 of 2017

Allowing the Appeal preferred against the award of the Motor Accidents Claims Tribunal, (Special Sub Court), Tirunelveli dated 23.09.2016 made in MCOP No. 566/2014 and etc., as stated within.

KK/SAR-/15.03.2019/2P-5C