



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. 295 of 2017

1. B. Rajakumari
2. B. Revathy
3. B. Chinnamarudhu
4. B. Kavitha

... Appellants

Vs.

1. M. Muthulakshmi
2. The Branch Manager,
Reliance General Insurance Company
Limited,
Sree Meenakshi Plaza,
1st Floor, Plot No. HIG-55,
80 Feet Road, Anna Nagar,
Madurai - 625 020.

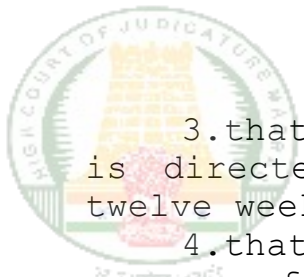
... Respondents

Prayer in C.M.A. (MD) No. 295 of 2017: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree in MCOP.No.372 of 2009, dated 23.12.2011 on the file of the Motor Accident Claims Tribunal, Principal District Judge, Pudukkottai, and allow the Civil Miscellaneous Appeal.

DECREE: This Civil Miscellaneous Appeal is coming on for hearing on this day and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in this Appeal and upon hearing the arguments of Mr. N. Rahamadullah, Advocate for the Appellants and of Mr. D. Balamurugapandi, Advocate for the First Respondent and of Mr. V. Sakthivel, Advocate for the Second Respondent, this Court while allowing the Civil Miscellaneous Appeal, doth order and decree as follows:

1. that the award dated 23/12/2011 in MCOP No. 372/2009, passed by the Motor Accident Claims Tribunal/Principal District Judge, Pudukkottai be and hereby is modified and the Civil Miscellaneous Appeal is allowed;

2. that the award amount of the Tribunal be and hereby is enhanced from a sum of Rs. 2,92,800/- (Rupees Two Lakhs Ninety Two Thousand Eight Hundred Only) to a sum of Rs. 8,69,000/- (Rupees Eight Lakhs Sixty Nine Thousand Only);



3.that the Second Respondent Insurance Company be and hereby is directed to deposit the balance amount within a period of twelve weeks from the date of receipt of a copy of this order;

4.that the Appellants/Claimants be and hereby are directed to pay sum of Rs.3,562/- (Rupees Three Thousand and Five Hundred Sixty Two Only) being the additional Court fee due in this Civil Miscellaneous Appeal on the file of this Court;

5.that on such deposit being made by the Second Respondent and on payment of Additional Court fee, the Claimants are permitted to withdraw the same with accrued interest by filing an appropriate application before the Tribunal;

6.that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

The Principal District Judge/
Motor Accident Claims Tribunal, Pudukkottai.

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

+ 1 cc TO Mr.N.Rahamadullah , Advocate in SR No. 82745

DATED : 12.10.2017

DECREE

C.M.A. (MD) No.295 of 2017

Allowing this Civil
Miscellaneous Appeal etc., as
stated within.

KK/SKN RSK/SAR 1/12.04.2018/2P/5C