



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A. (MD) No.1300 of 2014

Saravanakumar

... Appellant/Petitioner

Vs.

1. S.Nagalakshmi

2. M/s.United India Insurance Co. Ltd.,
Rep. By its Branch Manager,
No.23 E, E.V.R. Road,
Puthur, Trichy.

... Respondents/Respondents

Prayer: Appeal filed under Section 173 of Motor Vehicles Act, 1988, allow the appeal and enhance the compensation awarded in M.C.O.P.No.467 of 2013 on the file of Special District Court cum Motor Accident Claims Tribunal, Trichy dated 10.07.2014.

For Appellant	: Mr.C.K.M.Appaji
For R1	: Mr..Lawrance
For R2	: Mr.Prabhu Rajadurai

JUDGMENT

This appeal has been filed by the person who claimed to be the owner of the goods. He had suffered injuries in the accident. He filed M.C.O.P.No.467 of 2013. During cross examination he admitted that no goods were available in the vehicle, when the accident took place. Therefore, the question of covering the owner of the goods will not arise. In any event, in the policy there is no coverage for the owner of the goods. The coverage was only for the vehicle owner, driver and one employee.

2.The Tribunal has awarded a sum of Rs.1,03,400/-, Considering the injury suffered by the claimant, the award amount cannot be said to be low. I therefore, find no merit in this appeal filed by the appellant. Therefore C.M.A No.1300 of 2014 stands dismissed and the award passed by the Tribunal in M.C.O.P.No.467 of 2013 is confirmed. No costs.

3.The first respondent, who is the vehicle owner, is directed to pay the entire compensation amount with 7.5% interest per annum and costs, from the date of petition till the date of realization,



within a period of eight weeks from the date of copy of this order, less the amount already deposited if any. On such deposit, the claimant is permitted to withdraw the entire amount, less the amount already withdrawn, if any, by filing proper application before the Tribunal.

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Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Motor Accident Claims Tribunal,
(Special District Court),
Tiruchirappalli.

2. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.J.LAWRANCE, ADVOCATE IN SR No. 86374

+ 1 CC TO Mr.G.PRABHU RAJADURAI, ADVOCATE IN SR No. 86350

DSS

TE/MR-KKR/SAR-1 : 12/12/2017 : 2P/5C

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