



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, The Sixteenth Day of November, Two Thousand and Seventeen

PRESENT

The Hon'ble Mr. Justice K.KALYANA SUNDARAM

and

The Hon'ble Mrs. Justice V.BHAVANI SUBBAROYAN

CMA (MD) . 179/ 2014

Royal Sundaram Alliance Insurance
Company Ltd., Madurai,
No.21, Patullos Road,
Chennai - 600 002.

: Appellant / Respondent-2

Vs.

1. Karthik Bramanic Syamsundar @ Karthik
S/o. Late Kathiresan,
Panampatti village, Illuppur Taluk,
Pudukkottai District,
Presently Resid at 1384 (Old No. 1384A

: Respondent / Petitioner

2. M. Rengasamy

: Respondent / Respondent-1

3. The Divisional Manager,
United India Insurance Company Ltd.,
No. 4, Bharathidasan Salai,
Macdonald Road, Cantonment,
Tiruchirappalli - 1.

: Respondent / Respondent-3

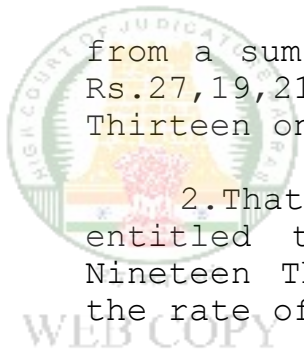
Prayer :

Civil Miscellaneous Appeal filed Under Section 173 of Motor Vehicles Act, 1988, to set aside the fair and decretal order dated 05.06.2013 passed by the Motor Accident Claims Tribunal / Additional District Judge, Pudukkottai made in M.C.O.P.No.330 of 2012.

Decree:

This Civil Miscellaneous Appeal coming on for hearing on this day, Upon perusing the grounds of Appeal, the order of the Tribunal and the material papers in this appeal and upon hearing the arguments of Mr. S. SRINIVASARAGHAVAN, Advocates for the Appellant and of Mr. P. GANAPATHISUBRAMANIAN, Advocate for the 1st Respondent, and of Mr. A. SHAJAHAN, Advocate for the 3rd Respondent, and the second Respondent herein not appearing either in person or through Advocate, this court while allowing the Appeal in Part and in modification of the Award of the Tribunal, doth order and decree as follows:-

1. That the Judgement and decree dated 05.06.2013 passed by the Motor Accident Claims Tribunal / Additional District Judge, Pudukkottai, made in M.C.O.P.No.330 of 2012 be and hereby is reduced



from a sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) to a sum of Rs.27,19,213/- (Twenty Seven Lakhs Nineteen Thousand Two Hundred and Thirteen only) and Civil Miscellaneous Appeal is Partly Allowed;

2. That the Claimant herein / Respondent be and hereby is entitled to a sum of Rs.27,19,213/- (Rupees Twenty Seven Lakhs Nineteen Thousand Two Hundred and Thirteen only) with interest at the rate of 7.5% per annum;

3. That the Appellant herein / Insurance be and hereby is directed to deposit the modified award amount, less already deposited, within a period of eight weeks from the date of receipt of a copy of this order;

4. On such compliance, that the claimant herein/Respondent to withdraw the same, less already withdrawn, if any;

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-III)

To

The Motor Accident Claims Tribunal,
(Additional District Judge, Pudukkottai).

Copy to

The Section Officer,
VR Section, Madurai Bench of Madras High Court,
Madurai. 2 Copies

- + 1CC TO Mr.S.SRINIVASA RAGHAVAN , ADVOCATE IN SR No. 87866.
- + 1CC TO Mr.P.GANAPATHI SUBRAMANIAN , ADVOCATE IN SR No.87972.
- + 1CC TO Mr.A.SHJAHAN , ADVOCATE IN SR No.87757.
-

SKN

DS SKN SAR3 11 12 2018 2P 7C

ORDER DATED: 16.11.2018

DECREE

C.M.A. (MD) No.179 of 2014

Nature of Decree:

Allowing in Part the Appeal to set aside the fair and decretal order dated 05.06.2013 passed by the Motor Accident Claims Tribunal /Additional District Judge, Pudukkottai made in M.C.O.P.No.330 of 2012.etc., as stated within.