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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.10.2017
CORAM:
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A. (MD) .No.274 of 2015

Shanmugam

... Appellant/Petitioner

Vs.

1.Krishnammal

2.Reliance General Insurance Co. Ltd.,
Through its Branch Manager,
No.10/4/4, Thaka Plaza,
2nd Floor, South Bye Pass Road,
Vannerpattai,
Tirunelveli.

... Respondents/Respondents

PRAYER : This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, to allow this appeal and enhance the award in M.C.O.P.No.255 of 2013 on the file of the Motor Accident Claims Tribunal, (Special Sub Court), Tirunelveli, dated 19.11.2013.

For Appellant : Mr.T.Selvakumaran
For R.2 : Mr.V.Sakthivel
For R.1 : No appearance

* * * * *

JUDGMENT

The claimant has filed this appeal seeking enhancement of compensation. The Tribunal has awarded a sum of Rs.15,000/- to the claimant. The insurer has been directed to pay the said amount and recover the same from the insured. This Court is of the view that the compensation has been correctly quantified by the Tribunal. Therefore, finding no merit in this appeal and confirming the award passed by the Tribunal dated 19.11.2013 in MCOP No.255 of 2013, this Civil Miscellaneous Appeal is dismissed.

2.The second respondent is directed to deposit the entire compensation amount as awarded by the Tribunal with interest at the rate of 7.5% per annum from the date of petition till the date of realization, within a period of eight weeks from the date of receipt of a copy of this judgement, less the amount already deposited, if any. On such deposit, the claimant is permitted to withdraw the entire amount, less the amount already withdrawn by him, if any, by filing proper application before the Tribunal. The insurer shall



recover the paid amount from the first respondent herein by filing an Execution Petition in the very same proceedings. No costs.

Sd/

Assistant Registrar(CS-II)

/True copy/

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Sub Assistant Registrar (CS-II)

To

The Special Sub Judge,
Special Sub Court / Motor Accident Claims Tribunal,
Tirunelveli.

Copy to :
The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. **(2 COPIES)**

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KK/SV/SAR-2/30.07.2018/2P-4C/