



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Fourth day of December, Two Thousand and Seventeen

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present

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CMA(MD)No.70 of 2015

Chelliah Savarimuthu

... Appellant/Petitioner

Vs.

1.Shiek Miyan

2.The Royal Sundaram Alliance

Insurance Co. Ltd,
Vannarpettai,
Tirunelveli-627 003.

... Respondents/Respondents

Prayer : Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award passed in MCOP.No.611 of 2010 on the file of Motor Accidents Claims Tribunal, (Principal Subordinate Court), Tirunelveli.

ORDER: This Civil Miscellaneous Appeal coming on for hearing on this day; upon perusing the grounds of Appeal, the award of the Tribunal and the material papers to this case and upon hearing the arguments of Mr.R.Krishnan, Advocate for the Appellant and of Mrs.K.R.Shivashankari, Advocate on behalf of Mr.S.Srinivasaraghvan, Advocate for the First respondent; this court while allowing the Appeal in part and in modification of the award of the tribunal below, doth order and decree as follows:

(i)That the appellant/claimants entitled to a sum of Rs.3,84,000/- (Rupees Three lakhs and eighty four thousand only) as total compensation.

(ii)That the Second respondent herein Insurance Company do deposit the sum of Rs.3,84,000/- (Rupees Three Lakhs and Eighty four thousand only) with interest at the rate of 7.5% per annum from the date of petition till the date of realization and costs, within a period of eight weeks from the date of receipt of a copy of this order, less the amount already deposited, if any;

(iii)That on such deposit being made, the Appellant/claimant shall withdraw the same, by filing proper application before the Tribunal, less the amount already withdrawn by him; and



(iv) That there be no costs in this Civil Miscellaneous Appeal.
Sd/

Assistant Registrar (CS-I)

/True copy/

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Sub Assistant Registrar

To

The Principal Subordinate Court,
The Motor Accidents Claims Tribunal,
Tirunelveli,

Copy to:

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

+1cc to Mr.R.KRISHNAN, Advocate, SR.No. 90806

+1cc to Mr.S.SRINIVASA RAGHAVAN, Advocate, SR.No. 90778

Dated:04.12.2017

DECREE
CMA(MD)No.70 of 2015

Allowing the Appeal in part preferred against the judgment and decree dated 18.01.2013 in M.C.O.P. No.611 of 2010 on the file of the Motor Accident Claims Tribunal, Principal Subordinate Court, Tirunelveli and etc., as stated within.

KK/SV MMS/SAR-2/04.06.2018/2P-6C