



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

Monday, the Eighteenth day of September, Two thousand and Seventeen
PRESENT

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A(MD)Nos.1544 of 2013

Angammal @ Angayee ... Appellant / Claimant

Vs.

1.Thamaraiselvam

2.The Branch Manager,
United India Insurance Company Ltd.,
Near Anna Statue, Pudukottai. ...Respondents / Respondents

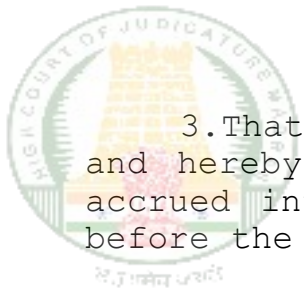
(R1 was set exparte by the Tribunal and hence notice R1 may be given up)

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act,1988, against the judgment and decree dated 13/06/2013 and made in MCOP No.52 of 2011 on the file of the Motor Accidents Claims Tribunal, (Sub Court),Pudukottai.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the grounds of Appeal, the order of the Motor Accidents Claims Tribunal,(Sub Court) Pudukottai and the material papers in this Appeal and upon hearing the arguments of Mr.P.Ganapathi Subramanian, Advocate for the Appellant and of Mr.Royale Emmanuel, Advocate for 2nd 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:

1.that the award of the Motor Accident Claims Tribunal,(Sub Court),Pudukottai dated 13.06.2013 made in M.C.O.P.No.52 of 2011 be and hereby is enhanced from Rs.65,500/-(Rupees Sixty five thousand and five hundred only) to a sum of Rs.1,65,000/-(Rupees one lakh sixty five thousand only) along with interest at the rate of 7.5% per annum from the date of petition till date of realisation and proportionate costs;

2.That the Second respondent/Insurance Company be and hereby is directed to deposit the entire award amount with accrued interests and costs, less the amount already deposited, if any, within a period of four weeks from the date of receipt of a copy of this judgment;



3. That on such deposit being made, the appellant/claimant be and hereby is permitted to withdraw the entire award amount with accrued interests and costs without filing any formal application before the Tribunal;

4. That there be no costs in the Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

The Motor Accident Claims Tribunal,
Pudukottai (Sub Court), Pudukottai.

Copy to:

The Section officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1cc to Mr.P.GANAPATHI SUBRAMANIAN, Advocate, SR.80010, 80008

DATED: 18.09.2017

DECREE

C.M.A(MD)Nos.1544 of 2013
Nature of the Judgment:
Partly allowing this Civil
Miscellaneous Appeal preferred
against judgment and decree
passed by the Motor Accidents
Claims Tribunal, (Sub Court)
Pudukottai made in
M.C.O.P.No.52 of 2011 dated
13.06.2013 etc., as stated
within.

KK/JC/SAR 1/26.02.2018/ 2P- 5C/