



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Thirteenth day of October Two Thousand and Seventeen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

and

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMA(MD) No.1599 of 2013

The Branch Manager,
The Oriental Insurance Company Limited,
Karur Branch, Karur District. : Appellant/3rd Respondent

Vs.

1) Sahaya Sunil : Respondent1/Petitioner

2) K.Murugan

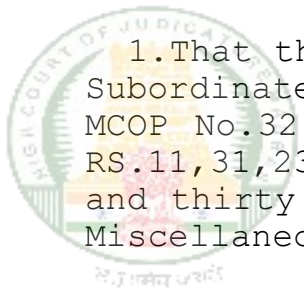
3) Chettinad Logistics (P) Ltd.,
52-A Rani Meyyammal Building,
Karur, Trichy Main Road,
Pulliur, Karur, Karur District,
Tamil Nadu. : R2 and 3rd Respondent/1st Respondent
& 2nd Respondent

4) The Branch Manager,
The New India Assurance Company Limited,
Muvattupuzha Branch,
Madaparambil Chambers,
N.C.Road, 661, Muvattupuzha,
Muvattupuzha Post,
Kerala State. : R4/4th respondent

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award of the Subordinate Judge, Motor Accident Claims Tribunal, Padmanabapuram. Dated 17.12.2012 and made in MCOP No.32 of 2009.

DECREE:

This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the order of the Lower Court, and material paper in this Case, and upon hearing the arguments of M/S.K.BHASKARAN, Advocate for the Appellant, and of Mr.F.Deepak Advocate for the 1st Respondent, and Mr.D.Sivaraman, advocate for the 4th Respondent, and the 2nd and 3rd respondent not appearing either in person or by an advocate, this Court while partly allowing the appeal, doth order and decree as follows:



1.That the total Compensation amount Rs.11,81,239/- awarded by the Subordinate Judge, Motor Accident Claims Tribunal, Padmanabapuram in MCOP No.32 of 2009, dated 17.12.2012 be and is hereby reduced to RS.11,31,239/- (Rupees Eleven Lakhs, thirty one thousand two hundred and thirty nine only) with interest @ 7.5% per annum and this Civil Miscellaneous Appeal partly allowed.

2.That the Appellant/Insurance Company deposit the modified award amount, less already deposited, within a period of six weeks from the date of receipt of copy of this Judgment.

3.That on such Compliance, the claimant shall withdraw the modified amount, less already withdrawn.

4.That there be no costs in this Civil miscellaneous Appeal.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Subordinate Judge, MACT,
Padmanabapuram.

2.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High court,
Madurai.(2 copies)

+1CC TO MR.K.BHASKARAN, ADVOCATE IN SR.NO.82855.
+1CC TO MR.D.SIVARAMAN, ADVOCATE IN SR.NO.82851.

SKN

DS RSK SAR-4 :03.10.2018: 2P/6C

Dated: 13.10.2017
DECREE
C.M.A(MD)No.1599 of 2013

Nature of the Decree:

Partly allowing the appeal preferred against the award of the Sub-Judge (MACT), Padmanabapuram in M.C.O.P NO.32/2009, dated 17.012.2012 etc., stated within.