

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Monday, the Thirty First day of July, Two Thousand and Seventeen

PRESENT

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A(MD)No.785 of 2011

1.Ayyar Sigamani
2.Vasanthi

... Appellants / Claimants

Vs.

1. A.Muniyammal

2. The Branch Manager,
New India Assurance Company Limited,
913, Catholic Centre,
Main Road,
Kovilpatti-628 501.

... Respondents/ Respondents

Civil Miscellaneous Appeal against the award of the Motor Accidents Claims Tribunal(Subordinate Court), Srivilliputhur, dated 09.04.2011 and made in MCOP.No.211 of 2008.

DECREE: This Appeal coming on for hearing on this day, upon perusing the grounds in this Appeal, order and decree of the Motor Accident Tribunal, Srivilliputhur, material papers in this case, and upon hearing the arguments of Mr.G.Marimuthu, Advocate for the Appellants and of Mr.J.S.Murali, Advocate for the 2nd respondent, and the Appeal having been dismissed with regard to the first respondent vide Court's order dated 24/02/2012, this Court while allowing the appeal in modification of the award of the Tribunal below, doth order and decree as follows:

1.That the quantum of compensation awarded by the Sub Judge, Motor Accident Claims Tribunal, Srivilliputhur, be and hereby is enhanced from Rs.3,52,000/- to Rs.7,68,000/- (Rupees Seven lakh Sixty eight thousand only) along with interest at the rate of 7.5% p.a.

2.That the 2nd respondent herein/Insurance company, be and hereby shall deposit the entire award amount with accrued interest and costs, less the amount already deposited, if any, before the tribunal, within a period of eight weeks from the date of receipt of a copy of this order.

3.That on such deposit being made, the Appellants/Claimants, be and hereby are permitted to withdraw the entire award amount



with interest and costs, as apportioned by the Tribunal, without filing any formal petition before the Tribunal.

4. That the Appellants/Claimants be and hereby are directed to remit the additional court fee, before the Court below for the enhanced award amount granted by this Court.

5. And, there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Subordinate Judge,
Motor Accidents Claims Tribunal (Subordinate Court),
Srivilliputhur.

Copy to:

The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. G.MARIMUTHU, Advocate, SR.No.68850.

+1cc to M/S. J.S.MURALI, Advocate, SR.No.69401.

31.07.2017

DECREE

C.M.A(MD)No.785 of 2011

Allowing the appeal preferred against the award of the Motor Accidents Claims Tribunal (Subordinate Court), Srivilliputhur dated 09.04.2011 and made in MCOP.No.211 of 2008 and etc, as stated within.