

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND NINETEEN

PRESENT:

THE HONOURABLE TMT.JUSTICE S.RAMATHILAGAM

C.M.A.No.2719 of 2003
and
CMP.No.16472 of 2003

United India Insurance Company Limited,
represented by its Branch Manager,
No.70, N.S.C.Bose Road,
Park Town Branch Office,
Chennai - 600 079. Appellant

Versus

1.P.Ranganathan

2.Ramayee

3.Lakshmanan

4.P.S.Senthil Kumar

5.National Insurance company Limited,
Tiruchirappalli.

6.K.P.Prabakaran

... Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the Judgment and Decree dated 06.03.2003 made in M.A.C.T.O.P.No.5 of 2002 on the file of the Motor Accidents Claims Tribunal (Fast Track Court), Kallakurichi.

Decree: This Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the order of the Lower court and the material papers in the case and upon hearing the arguments of Mr.R.Muralidharan for Respondent No.1 to 3, and of Not appearing either in person or by an Advocate for the Appellant and this court while dismissing this appeal doth order and decree as follows:

1)that the award of Rs.2,49,400/- (Rupees Two Lakhs forty nine Thousand Four Hundred only) granted by the Tribunal in M.A.C.T.O.P.No.5 of 2002 be and hereby enhanced to Rs.3,13,800/- (three Lakhs Thirteen thousand and eight Hundred only);

2)that the said amount shall carry the rate of interest at 7.5% per annum and the apportionment shall be as ordered by the Tribunal;

3)that the appellant/Insurance Company be and hereby is directed to deposit the entire award amount, in respect of above Appeal as per the enhancement awarded by this Court, with interest and costs, before the Tribunal, after adjusting the amount, if any, already deposited, within a period of four weeks from the date of receipt of a copy of this order.

4)that On such deposit being made, the Tribunal be and hereby is directed to transfer the respective shares of respective claimants to their bank accounts through RTGS within one week thereon;

5) that there be no costs in this Civil Miscellaneous appeal.

s/d-

Assistant Registrar(ccc)

True Copy

Sub-Assistant Registrar

To

1. The Motor Accident Claims Tribunal,
(Fast Track Court)Kallakurichi.

2.The Section Officer,
V.R. Section,Madras High Court.

+1 CC to Mr.R.Muralidharan, Advocate sr 70701.

Dated:11.10.2018

DECREE

C.M.A.No.2719 of 2003

Dismissing the appeal preferred against the Judgment and decree dated 06.03.2003 made in M.A.C.T.O.P.No.5 of 2002 on the file of the Motor Accidents Claims Tribunal (Fast Track Court), Kallakurichi etc as stated within.

A.SK(04/07/2019)