



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Tenth day of December, Two Thousand and Eighteen

PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CMA(MD) . No.1023 of 2018

Saminathan

... Appellant/Claimant

vs.

1)K.M.Karuppiah

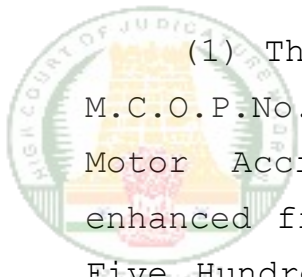
2)The Branch Manager,
Cholamandalam General Insurance Company Ltd.,
Date House 2nd Floor,
2, N.S.C. Road,
Chennai-600 001.

... Respondents/Respondents

(R1 was set exparte by the Tribunal.
Hence, notice may be given up against him)

Civil Miscellaneous Appeal filed under Section 173(1) of the Motor Vehicles Act, 1988, against the judgment and decree made in MCOP.No.209 of 2014 dated 23.11.2016 by the (Chief Judicial Magistrate) Motor Accidents Claims Tribunal, Pudukottai.

DECREE:- This Civil Miscellaneous 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 this appeal and upon hearing the arguments of Mr.D.RAMESHKUMAR, Advocate for the Appellant and of MR.K.BAALASUNDHARAM, Advocate for the first respondent, and not appearing in person or through the Counsel for the 2nd Respondent this Court while partly Allowing the Civil Miscellaneous Appeal and in Modification of the award of the Tribunal below, doth order and decree as follows:-



(1) That the award of the Tribunal dated 23.11.2016 and made in M.C.O.P.No.209 of 2014 on the file of the Chief Judicial Magistrate, Motor Accident Claims Tribunal, Pudukkottai be and hereby is enhanced from Rs.2,77,570/- (Rupees Two Lakhs Seventy Seven Thousand Five Hundred and Seventy only) to Rs.3,17,570/- (Rupees Three Lakhs Seventeen Thousand and Five Hundred and Seventy only);

(2) that the 2nd respondent herein/Insurance Company be and hereby is directed to deposit the modified compensation of Rs.3,17,570/- (Rupees Three Lakhs Seventeen Thousand and Five Hundred and Seventy only) with interest from the date of petition till the date of deposit and costs, less the amount already deposited, if any, to the credit of the claim petition within a period of six weeks from the date of receipt of a copy of this judgment;

(3) On such deposit, the appellant herein /claimant be and hereby is permitted to withdraw the same without filing formal petition before the Tribunal.

(4) That there be costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar

TO

The Chief Judicial Magistrate,
Motor Accidents Claims Tribunal,
Pudukottai.

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai - 2 Copies

+1 CC to M/s.D.RAMESHKUMAR, Advocate (SR-99454 dated 10/12/2018)

<https://hcservices.ecourts.gov.in/hcservices/>
+1 CC to M/s.R.BAALASUNDHARAM, Advocate
(SR-99527 dated 10/12/2018)



WEB COPY

ORDER DATED : 10/12/2018
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DECREE
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CMA (MD) . No.1023 of 2018

Nature of Decree:-
Partly Allowing
the Civil Miscellaneous
Appeal filed under Section
173 of the Motor Vehicles Act,
1988, preferred against the
judgment and decree of the
CHIEF JUDICIAL MAGISTRATE, MACT,
PUDUKKOTTAI, dated
23/11/2016 made in M.C.O.P.
209/2014.

ES/05.03.2019/3P/6C