



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

Friday, the Twenty Eighth day of September Two Thousand and Eighteen

WEB COPY

PRESENT

The Honourable Ms.Justice V.M.VELUMANI

CMA(MD). No.790 of 2018

Ellammal

... Appellant/Petitioner

Vs

1 PAPATHI

2 UNITED INDIA INSURANCE CO
THROUGH ITS BRANCH MANAGER, DIVISIONAL
OFFICE, SALAI ROAD, DINDIGUL.

... Respondents/Respondents

Prayer:-

This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to modify the award dated 31.10.2007 made in M.C.O.P.686 of 2004 on the file of the Motor Accident Claims Tribunal, Principal District Court, Dindigul.

DEGREE: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the grounds of Appeal, the award of the Tribunal and the material papers to this case and upon hearing the arguments of Mr. G.S.ASOK ADHITHYAN, Advocate for the Appellant, Mr.G.PRABHU RAJADURAI, Advocate for the 2nd respondent; and 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 Second respondent herein/Insurance Company do deposit the entire enhanced award amount of Rs.50,000/- (Rupees Fifty thousand only) along with interest at the rate of 7.5% per annum, and proportionate costs less the amount already deposited, if any, to the credit of M.C.O.P.686 of 2004, on the file of the Motor Accident Claims Tribunal, Principal District Court, Dindigul, within a period of eight weeks from the date of receipt of a copy of this judgment;

(2) On such deposit being made, that the appellant/Claimant shall be entitled to withdraw the award amount by filing proper application



before the Tribunal; and

(3) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

WEB COPY

/True Copy/

Sub Assistant Registrar

TO

The PRINCIPAL DISTRICT JUDGE,
(Motor Accident Claims Tribunal), Dindigul.

Copy to:

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

+1 CC to M/s.G.S.ASOK ADHITHYAN, Advocate (SR-87702)

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-87895)

ORDER DATED : 28/09/2018

DECREE

CMA(MD) . No.790 of 2018

Nature of Decree:-

Allowing the Appeal in part preferred against the judgment and decree dated 31.10.2007 made in M.C.O.P.No.686 of 2004 on the file of the Motor Accident Claims Tribunal, Principal District Court, Dindigul and etc., as stated within.

KM-SP/(04.03.2019) 2P 6C