



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Friday, the Second day of November Two Thousand and Eighteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI
CMA(MD) No.928 of 2018

S.MURALITHARAN,

WEB COPY

1 M.MARIKANI

Vs

...APPELLANT/1st RESPONDENT

...1st RESPONDENT/CLAIMANT

2 NEW INDIA ASSURANCE CO.LTD.,
THROUGH ITS BRANCH MANAGER, NO.96,
BHARATHIYAR STREET, SATTUR.

... 2nd RESPONDENT/ 2nd RESPONDENT

PRAYER:

This Civil Miscellaneous Appeal is filed under section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 13.03.2018 passed in MCOPNo.415 of 2015 on the file of learned IV Additional Sub Judge, Motor Accident Claim Tribunal, Madurai.

DECREE:

This Civil Miscellaneous Appeal is coming on for hearing on this day and upon perusing the grounds of Appeal, the award of the Tribunal and the material papers to the case and upon hearing the arguments of Mr.S.Pon Senthil Kumaran, Advocate for the Appellant, and of Mr.D.sivaraman, Advocate for the 2nd respondent, and this Court while partly allowing the Appeal and in modification of the award of the Tribunal below, doth order and decree as follows:

1.that the appellant and the Second Respondent Insurance Company be and hereby are directed to deposit the award amount with interest at 7.5% p.a., from the date of claim petition till the date of realization and proportionate costs jointly and severally, to the credit of M.C.O.P NO.415 of 2015, on the file of the Motor Accident Claims Tribunal(IV Additional Subordinate Judge) Madurai, within a period of eight weeks from the date of receipt of a copy of this judgment.

2.that on such deposit, the first respondent/claimant is permitted to withdraw the award amount with interest and proportionate costs by making necessary application before the Tribunal; and

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

Sd/-

Assistant Registrar (CS III)

// True Copy //



TO
THE IV ADDITIONAL SUB JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURAI.

WEB COPY

Copy To:

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1CC to Mr.D.SIVARAMAN , Advocate SR.No.94219.

+1CC to Mr.S.PON SENTHILKUMARAN , Advocate SR.No.94200.

ORDER DATED :02/11/2018
DECREE

CMA(MD) No.928 of 2018

NATURE OF THE DECREE:

Partly Allowing the
appeal preferred against the award of
MCOPNo.415 of 2015 and etc as stated
within.

DS/ /SAR- (04.03.2019) 2P 6C