



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Thursday, the Fourteenth day of November Two Thousand Nineteen
PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY
CMA(MD). No.539 of 2008

K.SUBBURAJ

... Appellant / Petitioner

Vs

1 S.RAMESHKUMAR

2 NATIONAL INSURANCE COMPANY LTD

REP.BYS ITS BRANCH MANAGER, NO.25,,

SUNDARAM BUILDING, COIMBATORE ROAD, POLLACHI,,

COIMBATORE DISTRICT

... Respondents / Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Motor Accident Claims Tribunal, Fast Track Court, Dindigul made in MCOP No.965 of 2005 dated 22.11.2007.

DECREE:-This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.D.Venkatesh, Advocate for the Appellant and of MR.J.S.Murali, Advocate for the second respondent and this court while allowing this appeal in part with modification and this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal, Fast Track Court, Dindigul made in MCOP No.965 of 2005 dated 22.11.2007 is enhanced from Rs.3,30,000/- to Rs.5,87,500/- (Rupees Five Lakhs Eighty seven thousand five hundred only) and the Civil Miscellaneous Appeal is Partly allowed.

(2) That the second respondent / Insurance Company be and is hereby directed to deposit the entire award amount along with interest at the rate of 7.5% per annum within a period of eight weeks from the date of receipt of a copy of this Judgement.

(3) That on such deposit being made, the Tribunal is directed to transfer the same to the appellant/claimants' account directly by way of RTGS/NEFT system, after getting their Account details, within a period of three weeks thereafter.

(4) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar ()

// True Copy //



To

THE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL.
(Fast Track Court),
Dindigul.

+1 cc to Mr.D.Venkatesh, Advocate in SR.98528

+1 cc to MrJ.S.Murali, Advocate in SR 98757

ORDER DATED : 14/11/2019

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DECREE

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CMA(MD) No.539 of 2008

Allowing the Civil
Miscellaneous Appeal
preferred against the award
of the Motor Accident
Claims Tribunal, Fast Track
Court, Dindigul in MCOP
No.965 of 2005 dated
22.11.2007 and as stated
therein etc.,

VB(14.02.2020) 2P 4C