



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2019

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WEB COPY

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

C.M.A. (MD) No. 597 of 2008

The Branch Manager,
The New India Assurance Company Limited,
10, Shanmugapuram 2nd Street,
Palani 624 001.

... Appellant/Respondent No.2

Vs.

1. K.R.Chandrasekaran
2. Balasubramaniam

... 1st Respondent/Petitioner
... 2nd Respondent/1st Respondent

Prayer: The Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 06.12.2005 and made in M.C.O.P.No.869 of 2001 on the file of the Motor Accident Claims Tribunal, II Additional Sub Court, Madurai and praying to set aside the same.

For Appellant : Mr.B.Vijaya Karthikeyan
For R1 : Mr.T.A.Ebenezer
For R2 : No appearance

J U D G M E N T

The Civil Miscellaneous Appeal is filed by the Insurance Company challenging the quantum of compensation awarded by the Motor Accident Claims Tribunal, II Additional Sub Court, Madurai in M.C.O.P.No.869 of 2001, 06.12.2005.

2. Though this appeal has been filed by the Insurance Company challenging the quantum of compensation awarded by the Tribunal, when the appeal is taken up for hearing today, the learned counsel appearing for the appellant/Insurance Company fairly submitted that the award passed by the Tribunal may be confirmed.

3. The learned counsel appearing for the first respondent has no objection for confirming the award passed by the Motor Accident Claims Tribunal.

4. In view of the submissions made by the learned counsel for the appellant/Insurance Company as well as the first respondent/claimant, this Court, without going into the merits of the matter, confirms the award passed by the Tribunal. Accordingly,



the award passed by the Motor Accident Claims Tribunal, II Additional Sub Court, Madurai in M.C.O.P.No.869 of 2001, dated 06.12.2005 is confirmed and the Civil Miscellaneous Appeal is dismissed.

5. In view of the dismissal of the appeal, the appellant/Insurance Company is directed to deposit the entire award amount along with interest at the rate of 7.5 % per annum from the date of claim petition till the date of deposit, to the credit of the claim petition, within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, the Tribunal is directed to transfer the said amount directly to the Personal Savings Account Number of the claimant by way of RTGS/NEFT system, after getting his Account Details, within a period of three weeks thereafter. In case, if the award amount is already deposited, the Tribunal is directed to transfer the entire amount to the claimant account by way of RTGS/NEFT within a period of three weeks from the date of receipt of a copy of this judgment. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

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Sub Assistant Registrar(CS)

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To
The Second Additional Sub Judge,
Motor Accident Claims Tribunal,
Madurai.

copy to
The Section Officer,
V.R.Section, Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to M/s.B. VIJAY KARTHIKEYAN, Advocate (SR-97983[F] dated 13/11/2019)

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-98159[F] dated 14/11/2019)

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