



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Twentieth day of September Two Thousand and Nineteen

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMA(MD). No.484 of 2009

United India Insurance Company Limited,
Door No.366, Rajapalayam Road,
Opp. State Bank of India,
Sankarankovil,
through its Branch Manager.

... Appellants/3rd Respondent

- Vs -

1.Narayanan

... 1st Respondent / Petitioner

2.Mrs.Kalpana

3.Palaniselvam

... Respondents 2 and 3 /
Respondents 1 and 2

(R2 & R3 remained Ex-parte
before the Tribunal)

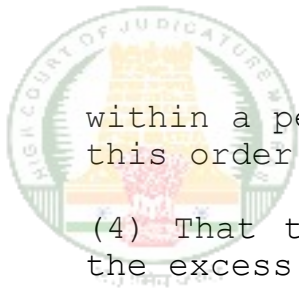
Prayer:- Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Tribunal passed in M.A.C.O.P. No.60 of 005 on the file of the Motor Accidents Claims Tribunal, Sub Court, Sankarankovil.

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.A.SHAJAKHAN, Advocate for the Appellant and of MR.S.S.DESIKAN, Advocate for the first respondent, the Insurance Company has already deposited the entire award amount along with interest before the Tribunal, and partly allowing this appeal, this Court doth order and decree as follows:-

(1) That the award passed by the tribunal is confirmed.

(2) That the interest awarded by the Tribunal is reduced from 9% to 7.5% per annum, from the date of petition till realization.

(3) That the Tribunal is directed to transfer the entire award amount directly to the petitioner's Personal Savings Bank account through RTGS/NEFT system, after getting his Account details



within a period of three weeks from the date of receipt of a copy of this order.

(4) That the appellant/ Insurance Company is permitted to withdraw the excess amount, if any.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

TO
The Subordinate Judge,
Motor Accident Claims Tribunal, Sankarankovil.

Copy to:
The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-88248 dated 20/09/2019)

ORDER DATED : 20/09/2019

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D E C R E E
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CMA(MD). No.484 of 2009

Nature of Decree:- Partly Allowing the Civil Miscellaneous Appeal preferred against the award of the Tribunal dated 11.10.2006 passed in M.A.C.O.P. No.60 of 2005 Motor Accident Claims Tribunal, Subordinate Judge, Sankarankovil and etc., stated therein

JMN(11.12.2019) 2P : 5C