



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Eleventh day of April Two Thousand Nineteen

PRESENT

The Hon'ble Mr. Justice K.KALYANASUNDARAM

AND

The Hon'ble Mrs. Justice R.THARANI

CMA(MD). No.591 of 2017

T.AJAY KUMAR

... Petitioner/ Appellant

Vs

1 G.VENKATESAN

2 NATIONAL INSURANCE COMPANY LTD.,
DIVISIONAL OFFICE,
THROUGH ITS DIVISIONAL MANAGER,
NORTH VELI STREET, MADURAI-625 001.

... Respondents /Respondents

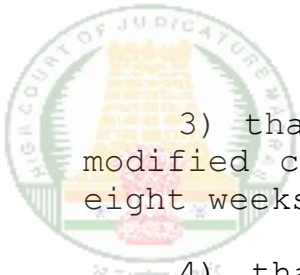
Prayer:-

To allow this Civil Miscellaneous Appeal by modifying the order passed in MCOP.No.343 of 2014 on the file of the Special Subordinate Court (Motor Accident claims Tribunal) at Madurai dated 04/01/2017 by enhancing award to further sum of Rs.30,00,000/- with interest and costs.

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.S.MANO HAR, Advocate for the Appellant and of, MR.D.RAJKUMAR, Advocate for the Second respondent and the first respondent not appearing in person or by an Advocate, while Partly allowing this Appeal and this Court doth order and decree as follows:-

1)that the compensation of Rs.3,70,400/- awarded by the Tribunal be and hereby is enhanced to Rs.5,35,000/-(Rupees Five Lakhs Thirty Five Thousand only);

2)that the enhanced amount will carry the interest at the rate of 7.5% per annum from the date of filing of the claim petition till the date of realization;



3) that the 2nd respondent/ Insurance company shall deposit the modified compensation, less already deposited, within a period of eight weeks from the date of receipt of a copy of this judgment;

4) that On such deposit is being made, the claimant be and hereby is permitted to withdraw the same; and

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

Sd/-

Assistant Registrar (CS-III)

/ True Copy /

Sub Assistant Registrar(CS-)

TM

To

The Special Sub Judge,
Motor Accident Claims Tribunal, Madurai.

Copy To:

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

+1 CC to M/s.D.RAJKUMAR, Advocate (SR-60454[F] dated 11/04/2019)

+1 CC to M/s.S.MANOHAR, Advocate (SR-60854[F] dated 12/04/2019)

ORDER DATED : 11/04/2019

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DECREE

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CMA(MD) No.591 of 2017

Nature of Decree:-

Partly Allowing this CMA (MD)No.591 of 2017 preferred against the judgment and decree passed by SPECIAL SUB COURT FOR MCOP CASES, MADURAI, made in M.C.O.P.No.343 of 2014 on 04.01.2017 etc., as stated within.