



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Seventh day of November Two Thousand Nineteen
PRESENT

WEB COPY

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMA(MD). No.1840 of 2013

M.LENIN,
S/O.MARIYADOSS, DIVYA BHAVANAM,
NO.61/3, I.N.T.U.C. COLONY,
FIRST CROSS STREET,
BASTIN NAGAR, BETHANIYAPURAM,
MADURAI.

... Appellant/Petitioner

Vs

1)M.RAMSINGH,
S/O.V.MAYANDI NADAR,
DOOR NO.49, GANDHIJI ROAD,
N.R.T. NAGAR, THENI.

2)M/S.THE ORIENTAL INSURANCE COMPANY LIMITED,
REPRESENTED BY ITS DIVISIONAL MANAGER,
DIVISIONAL OFFICE, 108-TPK ROAD,
MADURAI - 625 001.

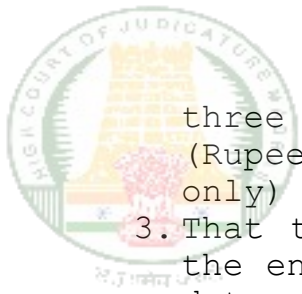
... Respondents/Respondents 1 & 2

Prayer :- Civil Miscellaneous Appeal filed under section 173 of the Motor Vehicles Act, 1988 against the award and decree dated 14/02/2013 and made in M.C.O.P.No.707 of 2009 on the file of the Motor Accidents Claims Tribunal/IV Additional Subordinate Judge, Madurai.

Decree: This Civil Miscellaneous Appeal coming up for hearing on this day and upon perusing the grounds of Appeal, the award of the Tribunal and the material papers in this Appeal and upon hearing the arguments of Mr.A.Theethar, Advocate for Appellant, and of Mr.K.Bhaskaran, Advocate for 2nd Respondent and 1st Respondent having not appeared either in person nor by Advocate, this Court while allowing the appeal in part by modifying the award of Tribunal below, doth order and decree as follows :

1.That the award and decree dated 14/02/2013 passed in M.C.O.P.No.707 of 2009, on the file of the Motor Accidents Claims Tribunal/IV Additional Subordinate Judge, Madurai, be and hereby are modified ;

2.That the quantum of compensation awarded by the Motor Accidents Claims Tribunal/IV Additional Subordinate Judge, Madurai be and hereby is enhanced from Rs.1,63,612/- (Rupees one lakh sixty



three thousand six hundred and Twelve only) to Rs.1,88,612/- (Rupees One Lakh eighty eight thousand six hundred and Twelve only) ;

3. That the second respondent/Insurance Company herein do deposit the entire award amount within a period of eight weeks from the date of receipt of a copy of this judgment along with interest at the rate of 7.5% from the date of accident till the date of realization, if not deposited;
4. That on such deposit, the Tribunal do 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;
5. That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The IV Additional Subordinate Judge,
Motor Accidents Claims Tribunal, Madurai

Copy to:

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

+1 cc Mr.K.Bhaskaran, Advocate in SR No.96891

ORDER DATED 07/11/2019

D E C R E E

CMA(MD) . No.1840 OF 2013

Nature of the Decree:- Partly allowing this Civil Miscellaneous Appeal preferred against judgment and decree passed by Motor Accidents Claims Tribunal / IV Additional Subordinate Judge, Madurai made in M.C.O.P.No.707 of 2009 Dt. 14/02/2013 etc., as stated within.

JMN(11.02.2020) 2P : 5C

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