



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

Wednesday, the Twenty Third day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

WEB COPY

CMA(MD) No.463 of 2015 & CMA(MD)No.199 of 2018

CMA(MD)Nos.463 of 2015:-

Messer's Royal Sundaram Alliance

Insurance Company Ltd.,

3rd floor, Subramanian Building,

No.1, Club House Road,

Chennai-600 002,

Rep. by its Branch Manager.

...Appellant/2nd Respondent

VS

1)J.Satish

...1st Respondent/Claimant

2)L.Rajendran

...2nd Respondent/1st Respondent

3)N.Marrappasamy

...3rd Respondent/3rd Respondent

4)Balaji Alliance Insurance Co.Ltd.,

Door No.11, (Office No.6A),

People Park, Third Floor,

Government Arts College Road,

Coimbatore-641 018.

...4th Respondent/4th Respondent.

CMA(MD)Nos.199/2018:-

J.Sathish

... Appellant/Petitioner

vs.

1)L.Rajendran

2)Messer's Royal Sundaram Alliance

Insurance Company Ltd.,

3rd floor, Subramanian Building,

No.1, Club House Road,

Chennai-600 002,

Rep. by its Branch Manager.

3)N.Marrappasamy

4)Balaji Alliance Insurance Co.Ltd.,

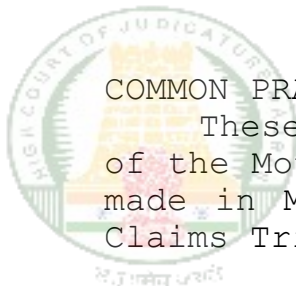
Door No.11, (Office No.6A),

Peoples Park, Third Floor,

Government Arts College Road,

Coimbatore-641 018.

... Respondents/Respondents



COMMON PRAYER:

These Civil Miscellaneous Appeal are filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 31.10.2014 made in MCOP.Nos.1241 of 2012 on the file of the Motor Accidents Claims Tribunal, Additional District and Sessions Judge, Dindigul.

WEBSITE: DEGREE: These Civil Miscellaneous Appeals are coming on Monday, Seventeenth day of December Two thousand and eighteen, upon perusing the grounds of appeal, the award of the tribunal and material papers to this Appeal, and upon hearing the arguments of MR.M.E.ILANGO, Advocate for Appellant in CMA(MD) No.463 of 2015, and second Respondent in CMA(MD)No.199 of 2018 and Mr.T.Selvakumaran, Advocate for first Respondent in CMA(MD). 463/2015 and Advocate for Appellant in CMA(MD).No.199 of 2018 and MR.J.S.Murali, Advocate for Fourth respondent in bothy CMAs and second & third Respondent in CMA(MD)No.463/2015 and first and third respondent in CMA No.199 of 2018 not appeared either in person or by an Advocate, and having stood over for consideration till this day, this while partly allowing CMA(MD)No.199/2018 and dismissing the CMA(MD).No.463/2015, doth order and decree as follows:

1. that the claimant in CMA(MD).NO.199 of 2018 be and hereby is entitled to enhanced compensation of Rs.1,38,000/- over and above the compensation of Rs.4,25,000/- awarded by the Tribunal with 7.5% interest;

2.That the appellant Insurance Company is directed to deposit the compensation of Rs.5,63,000/- with 7.5% interest per annum from the date of petition till the date of deposit, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this Judgment;

3. that on such deposit, the appellant in CMA(MD)No.199/18 be and hereby is permitted to withdraw the entire amount with interest without filing any formal permission petition before the Tribunal; and

4. that there be no costs, in this Civil Miscellaneous Appeal.

Sd/-

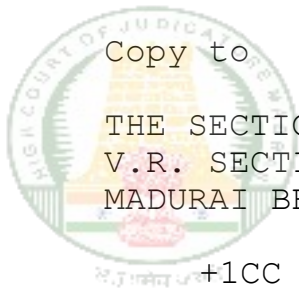
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

TO

THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL, DINDIGUL.



Copy to

THE SECTION OFFICER,
V.R. SECTION,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.(2 copies)

+1CC TO MR.M.E.ILANGO, Advocate Sr. No.42386

+2CC TO MR.J.S.MURALI, Advocate Sr. No.42456 & 42458

+1CC TO MR.T.SELVAKUMARAN, Advocate Sr. No. 42423

ORDER DATED :23/01/2019

DECREE

CMA(MD) No.462 of 2015

and

CMA(MD) No.199 of 2018

That the Award dated
31.10.2014 made in
M.C.O.P.No.1241/2012 by
the Motor Accident Claims
Tribunal, Additional
District and Sessions
Court, Dindigul and as
stated therein, etc.,

TR (08.03.2019) 3P 8C