



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 07.11.2019
CORAM:
THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

CMA(MD).No.994 of 2016

WEB COPY

P.Muneeswaran

.. Appellant / Petitioner

1. S. Boominathan

2.The Regional Manager,
M/s. Royal Sundaram Alliance Insurance Company Limited,
2A, ADP Towers 2nd Floor, Bypass Road,
Madurai.

..Respondents / Respondents

PRAYER: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, against the Judgment and Decree made in MCOP.No.890 of 2013 on the file of the Motor Accident Claims Tribunal / II Additional Subordinate Judge, Madurai, dated 04.02.2016.

For appellant	: Mr. K. Kumaravel
For R2	: Mr.M.F. Elango
For R1	: No Appearance

JUDGMENT

This Civil Miscellaneous Appeal is filed against the Award dated 04.02.2016 made in MCOP.No.890 of 2013 on the file of the Motor Accident Claims Tribunal / II Additional Subordinate Judge, Madurai,

2. Challenging the quantum of compensation awarded by the Tribunal i.e., Rs.25,000/- awarded by the Tribunal as compensation on the ground of no fault liability, the appellant has preferred the present appeal.

3. When the matter was came up for hearing on 01.11.2019, this Court suggested to pay a sum of Rs.60,000/- towards full and final settlement to the appellant / claimant. The learned counsel appearing for the 2nd respondent / Insurance Company also took time to get appropriate instructions from the 2nd respondent / Insurance Company. Today, he represented before this Court that the 2nd respondent / insurance Company is ready to settle the matter for a sum of Rs.60,000/-, for which, the learned counsel appearing for the appellant has not raised any objection.



4. In view of the above, the amount awarded by the Tribunal is enhanced from Rs.25,000/- to Rs.60,000/-. The 2nd respondent / Insurance Company is directed to deposit Rs.60,000/- together with interest at 7.5% per annum from the date of petition till the date of deposit and costs, after deducting the amount already deposited if any, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the Tribunal is directed to transfer the award amount to the appellant / claimant's account by way of RTGS, within a period three weeks, thereafter.

5. Accordingly, this Civil Miscellaneous Appeal is partly allowed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

trp

To

The Motor Accident Claims Tribunal / II Additional Subordinate Judge, Madurai.

+1 CC to Mr.K.KUMARAVEL, Advocate (SR-96762[F] dated 07/11/2019)

+1 CC to Mr.M.E.ILANGO, Advocate (SR-97140[F] dated 08/11/2019)

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VB(31.12.2019) 2P 4C