



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **01.10.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

CMA(MD)No.1068 of 2018

WEB COPY

1. Subbiah @ Selvamani

2. Poovammal

... Appellants/Petitioners

versus

1. Ayyappan

2. Shri Ram General Insurance Co. Ltd.,
Through its Branch Manager,
No.8, RIICO Industrial Area,
Sitapura, Jaipur, Rajasthan

3. Lawrence Livingston

4. United India Insurance Co. Ltd.,
Through its Branch Manager,
Robin Complex, II Floor,
Nagercoil Road,
Monday Market - 629 802.

... Respondents/Respondents

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the Award and Decree dated 31.01.2013 made in M.C.O.P.No.723 of 2012 on the file of the Motor Accident Claims Tribunal (4th Additional District Court), Tirunelveli.

For Appellants:	Mr.T.Selvakumaran
For R2	: Mr.D.Sivaraman
For R4	: Mr.C.Jawahar Ravindran

JUDGMENT

This Civil Miscellaneous Appeal has been filed challenging the Judgment and decree dated 31.01.2013, made in M.C.O.P.No.723 of 2012 on the file of the Motor Accident Claims Tribunal (4th Additional District Court), Tirunelveli, wherein, the claim petition filed by the claimants/appellants herein was dismissed.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the second respondent submitted that the second respondent has agreed to pay the compensation of Rs.1,25,000/- (Rupees one lakh twenty five thousand only) to the appellants in respect of the claim made in M.C.O.P.No.723 of 2012. The same was also agreed by the learned counsel appearing for the



3. Recording the said submission, the Civil Miscellaneous Appeal is partly allowed, by awarding the compensation of Rs.1,25,000/- along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit. The claimants/appellants are entitled to equal share of compensation.

4. The second respondent/Shri Ram General Insurance Co. Ltd. is directed to deposit the compensation of Rs.1,25,000/- along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit, within a period of six weeks from the date of receipt of a copy of this order. On such deposit being made, the Tribunal shall transfer equal share of compensation to the claimants' Bank Account directly through RTGS, within a period of three weeks thereafter. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

The IV Additional District Judge,
Motor Accident Claims Tribunal ,
Tirunelveli.

Copy to

The Section Officer,-2 copies

VR Section

Madurai Bench of Madras High Court, Madurai

+1 CC to Mr.D. SIVARAMAN, Advocate (SR-90762[F] dated 01/10/2019)

+1 CC to Mr.T. SELVAKUMARAN, Advocate (SR-90978[F] dated 03/10/2019)

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