



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **01.10.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

**CMA(MD)No.1069 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

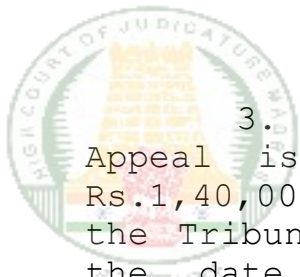
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the award and Decree dated 31.01.2013 made in M.C.O.P.No.724 of 2012 on the file of the Motor Accident Claims Tribunal (4<sup>th</sup> Additional District Court), Tirunelveli.

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

#### **JUDGMENT**

This Civil Miscellaneous Appeal has been filed by the claimants challenging the Judgment and decree dated 31.01.2013, made in M.C.O.P.No.724 of 2012 on the file of the Motor Accident Claims Tribunal (4<sup>th</sup> Additional District Court), Tirunelveli.

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.1,40,000/- (Rupees one lakh forty thousand only) in addition to the compensation of Rs.2,00,000/- as already awarded by the Tribunal. The same was also agreed by the learned counsel appearing for the appellants.



3. Recording the said submission, the Civil Miscellaneous Appeal is partly allowed, by enhancing the compensation of Rs.1,40,000/- in addition to the compensation already awarded by the Tribunal, 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 the compensation as per the apportionment made by the Tribunal.

4. The second respondent/Shri Ram General Insurance Co. Ltd. is directed to deposit the entire award amount along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit, less 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 being made, the Tribunal shall transfer their respective share amounts 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.T. SELVAKUMARAN, Advocate ( SR-90979[F] dated 03/10/2019 )

**CMA (MD) No.1069 of 2018**  
**01.10.2019**

KM/ (26.12.2019) 2P 5C