



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Fourth day of March Two Thousand and Twenty

PRESENT

The Hon'ble Mr.Justice P.VELMURUGAN

CMA(MD). No.695 of 2019

Selvi

...Appellant/Petitioner

Vs

1 Peter

2 Jose

3 The Branch Manager, Oriental Insurance Co Ltd.,
Agasteeswaram Taluk, Nagercoil, Kanniyakumari District.

4 Namasu

5 Rengan Pillai

6 The Branch Manager, United India Insurance Company Ltd.,
Nagercoil, Kanniyakumari District.

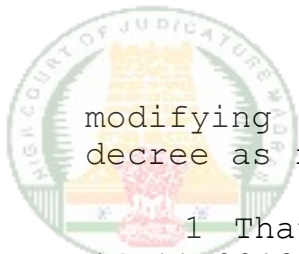
...Respondents/Respondents

Prayer :-

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1998, to call for the records of the awards dated 14.11.2018 passed in MCOP.No.8/2015 on the file of the Motor Accident Claims Tribunal -cum- Chief Judicial Magistrate, Nagercoil, Kanyakumari District and set aside the same and enhance the compensation.

Decree:

Civil Miscellaneous Appeal is coming upon for hearing on this day and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in this Appeal and upon hearing the arguments of Mr. J.Sevakumaran for Mr.R.Murugan, Advocate for the Appellant and of Mr. C.Jawahar Ravindran, Advocate for the third Respondent, and this Court while Allowing the Appeal in Part and



modifying the award passed by the Tribunal below, doth order and decree as follows:

1 That the Award and Decree made in MCOP.No.8 of 2015 dated 14.11.2018 on the file of the Motor accident claims Tribunal -cum- Chief Judicial Magistrate, Nagercoil, Kanniyakumari be and hereby is modified from Rs.1,00,000/- (Rupees One Lakh only) to Rs.3,04,800/- (Rupees Three Lakhs Four Thousand and Eight Hundred only) with interest a 7% per annum, from the date of claim petition till the date of deposit/realization;

2 That the respondents be and hereby are directed to deposit the entire award amount with Proportionate interest and costs; less the amount already deposited if any, within a period of four weeks from the date of receipt of a copy of this judgment;

3 On such deposit, the claimant is entitled to withdraw the award amount by filing necessary application before the Tribunal; and

4 That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The Motor accident claims Tribunal cum Chief Judicial Magistrate,
Nagercoil, Kanniyakumari

Copy to:

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

+1 CC to M/s.C.JAWAHAR RAVINDRAN, Advocate SR-10151

+1 CC to M/s.R.M.SIVAKUMAR, Advocate SR-10084



WEB COPY

ORDER DATED : 04/03/2020

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DECREE

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CMA (MD) . No.695 of 2019

Nature of Decree : Allowing in Part and modifying the Civil Miscellaneous Appeal against the Award and Decree made in MCOP.No.08/2015 dated 14.11.2018 on the file of the Motor accident claims Tribunal cum Chief Judicial Magistrate, Nagercoil, Kanniyakumari District etc., as stated within.

NR(09.06.2020) 3P 6C