

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

C.M.A.Nos.1884 of 2018

M/s.Reliance General Insurance Company
Limited,
Chennai Appellant /3rd Respondent

vs

1.Jeyanthi
W/o.Kuppusamy ...1st Respondent/Petitioner

2.Sambasivarao
S/o.Anjaiah

3.Venkateswararao
S/o.Balaiah ... Respondents 2 & 3/
Respondents 1 & 2

Prayer: Civil Miscellaneous Appeals filed u/s.173 of the Motor Vehicles Act, 1988, against the award and decree dated 22.08.2017 passed in M.C.O.P.Nos.494 of 2011 on the file of Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Tiruppur.

Decree: This Civil Miscellaneous Appeal coming up for hearing on this day, upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mr.M.B.Raghavan, for M/s.M.B.Gopalan Associates, Advocate for the Appellant and of Mr.G.Balasubramanian, Advocate for the 1st Respondent and the 2nd and 3rd Respondents having been seen ex parte in lower Court itself, this Court while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, doth order and decree as follows:

- 1.that the compensation awarded by the Tribunal be and hereby is reduced to Rs.5,00,000/-(Rupees Five lakhs only)from Rs.6,83,500/-(Tribunal award) together with interest and costs;
- 2.that the compensation amount shall carry interest @ 7.5% per annum; from the date of petition till the date

of deposit as ordered by the Tribunal.

3. That the Appellant/Insurance Company be and hereby is directed to deposit the reduced award amount now determined by this Court along with interest and costs, less the amount already deposited if any, within a period of 4(four) weeks from the date of receipt of a copy of this Judgment, to the credit of MCOP.No.494 of 2011;
4. that on such deposit being made, the 1st Respondent/Claimant be and hereby is permitted to withdraw the award amount along with interest and costs, less the amount if any already withdrawn by filing necessary application before the Tribunal and
5. that there be no order as to costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Chief Judicial Magistrate,
Motor Accident Claims Tribunal,
Tiruppur.
2. The Section Officer,
VR Section,
High Court, Madras.

C.M.A.Nos.1884 of 2018
Nature of Decree: Partly
allowing the Civil
Miscellaneous Appeal
preferred against the
judgment and Decree dated
22/08/2017 made in
MCOP.No.494 of 2011 on the
file of the Motor Accident
Claims Tribunal/Chief
Judicial Magistrate Court,
Tiruppur, etc., as stated
therein.

NRL(CO)
CB(07/09/2021)