

IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MR. JUSTICE R.SUBBIAH
and
THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.M.A. No. 3715 of 2019

United India Insurance Co. Ltd.,
Rep. by its Manager,
Divisional Office, No.1,
T.K.M. Complex, Katpadi Road,
Vellore.

.. Appellant/2nd Respondent

Versus

1. Saroja

.. 1st Respondent/Claimant

2. G.Saravanan

.. 2nd Respondent/1st Respondent

PRAYER:-

Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree of the Special Subordinate Judge, Motor Accident Claims Tribunal, Tirupattur dated 02.11.2018 and made in MCOP.No.577 of 2014.

DECREE:-

This Appeal coming on for hearing on Monday, the 19th day of April, 2021, upon perusing the grounds of Appeal, the Judgment and Decree of the Lower Court and the material papers in this case and upon hearing the arguments of Mr.S.Arunkumar, Advocate for the Appellant herein / Insurance Company and of Mr.V.Kumaravelan, Advocate for the 1st Respondent herein/Claimant and the 2nd respondent herein / 1st respondent having remained exparte before the tribunal, and having stood over for consideration till this day, this Court while allowing this Appeal, in part, and in modification of the decree of the tribunal, doth order and decree as follows:-

- 1.That the compensation awarded by the tribunal be and hereby is reduced to Rs.4,45,000/- (Rupees Four Lakhs Forty Five thousand only) from Rs.10,27,000/- (Rupees Ten Lakhs Twenty Seven Thousand only).
- 2.That the Appellant herein / Insurance Company do deposit the total compensation awarded by this Court before the Tribunal,

after adjusting the amount, if any already deposited, with interest at the rate of 7.5% per annum from the date of claim petition till the date of payment, within a period of six weeks from the date of receipt of a copy of this judgment.

3. That on such deposit being made, the 1st respondent herein / claimant be and hereby is permitted to withdraw the entire amount in accordance with law before the Tribunal.
4. That there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar(P&A)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Special Subordinate Judge,
The Motor Accident Claims Tribunal,
Tirupattur.

Copy to:
The Section Officer,
V.R.Section, High Court, Madras.

+2ccs to Mr.S.Arunkumar, Advocate, S.R.No.23743, 26949

+2ccs to Mr.V.Kumaravelan, Advocate, S.R.No.26876, 26877

DATED : 20.04.2021

DECREE

C.M.A. No. 3715 of 2019

Allowing the Appeal, in part, preferred against the Judgment and Decree of the the Special Subordinate Judge, Motor Accident Claims Tribunal, Tirupattur dated 02.11.2018 and made in MCOP.No.577 of 2014, etc., as stated within.

SV(CO)
SU(10/11/2021)