

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

PRESENT:-

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

C.M.A.NO.2432 OF 2017

P.Gokulan

...Appellant/Petitioner

Vs

1. Saravanan.P.T

2. M/s.TATA AIG General Insurance Company Limited,
2nd Floor, Samson Towers, Pantheon Road, Egmore,
Chennai - 600 008.

... Respondents/Respondents

Prayer in C.M.A.No.2432 of 2017:- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award and decree dated 15.03.2017 made in M.C.O.P.No.5618 of 2014 on the file of the Motor Accidents Claims Tribunal, II Judge, Small Causes Court, Chennai.

DECREE:- This Civil Miscellaneous Appeal coming on for hearing/as to admission 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.K.Suryanarayanan, Advocate for the Appellant and of Mr.M.B.Raghavan, Advocate for the 2nd Respondent this Court, doth order and decree as follows:-

1. That the Award passed by the Tribunal in M.C.O.P.No.5618 of 2014 dated 15.03.2017 granting as compensation of Rs.4,43,860/- (Rupees Four Lakhs Forty Three Thousand Eight Hundred Sixty Only) to the appellant/claimant along with interest and costs be and hereby is confirmed;

2. That the 2nd Respondent/Insurance Company are directed to deposit the award amount along with interest and costs, less the amount already deposited if any, within a period of six weeks from the date of receipt of a copy of this judgment, to the credit of M.C.O.P.No.5618 of 2014 on the file of the Motor Accidents Claims Tribunal, II Judge, Court of Small Causes, Chennai;

3. That on such deposit, the Tribunal be and hereby is directed to transfer the entire amount to the Appellant/Claimant by way of RTGS with in a period of three weeks from the date of deposit or the receipt of Bank details from the claimant or application for withdrawal from the claimant, which ever is later;

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

Sd/-

Assistant Registrar(I)

//True Copy//

Sub Assistant Registrar

rst

To:

The II Judge,
Motor Accident Claims Tribunal,
Small Causes Court, Chennai.

Copy To

The Section Officer,
VR Section, High Court, Madras-104.

Order Dated:- 08.04.2021

DECREE:-

C.M.A.No.2432 of 2017

Dismissing the Civil Miscellaneous Appeal in part preferred against the judgment and decree dated 15.03.2017 made in M.C.O.P.No.5618 of 2014 on the file of the Motor Accidents Claims Tribunal, II Judge, Small Causes Court, Chennai etc., as stated therein.

KK(CO)
CS/08/10/2021