



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Monday, the Fifteenth day of March,
Two Thousand and Twenty One**

PRESENT

**The Honourable Mr. Justice K.KALYANASUNDARAM
CMA(MD). No.223 of 2010**

K.S.Maruthupandian

... Appellant/Petitioner

Vs

1. Ravichandran

2. The United India Insurance Company Limited,
Rep.by its Branch Manager,
having office at Aruppukottai,
Virudhunagar District.

(Respondent No.1 set ex-parte in the Lower Court Proceedings,
so notice not necessary to R1)

... Respondents/Respondents

Prayer:-

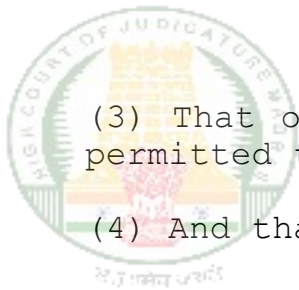
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Additional District Sessions Judge, The Motor Accident Claims Tribunal (Fast Track Court No.1), Madurai dated 02.09.2005 made in M.C.O.P. No.465 of 2000.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of K.P.Narayanakumar, Advocate for the Appellant, and of Mr.B.Rajesh Saravanan, Advocate for the second respondent herein, this Court while allowing the Appeal, doth order and decree as follows:-

(1) That the Award passed by the Motor Accident Claims Tribunal (Fast Track Court No.1), Madurai dated 02.09.2005 made in M.C.O.P. No.465 of 2000 be and hereby is enhanced from Rs.47,886/- (Rupees Forty Seven Thousand Eight Hundred and Eighty Six only) to a sum of Rs.65,000/- (Rupees Sixty Five Thousand only) along with interest at the rate of 7.5% per annum from the date of petition till date of realization, with proportionate costs;

(2) That the second respondent-Insurance company be and hereby is directed to deposit the modified Award amount with interest and costs, within a period of eight weeks from the date of receipt of a copy of this Judgment, less the amount already deposited, if any;



(3) That on such deposit being made, the claimant be and hereby is permitted to withdraw the entire amount;

(4) And that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Additional District Sessions Judge,
The Motor Accident Claims Tribunal (Fast Track Court No.1)
Madurai.

Copy to:

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

+1 CC to M/s.A.BALAKRISHNAN, Advocate, Copy Application SR.No.11750 dated 17/03/2021.

+1 CC to M/s.B.RAJESH SARAVANAN, Advocate, Copy Application SR.No.SR-11393 dated 16/03/2021.

ORDER DATED : 15/03/2021

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DECREE

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CMA(MD). No.223 of 2010

Nature of Decree:Allowing the Civil
Misc.Appeal preferred against the
judgment and decree of the
Additional District Sessions Judge,
The Motor Accident Claims Tribunal
(Fast Track Court No.1), Madurai
dated 02.09.2005 made in M.C.O.P.
No.465 of 2000 and giving directions
etc. as stated therein.

KB(25.05.2021) 2P 6C