



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)**

**Wednesday, the Ninth day of June Two Thousand and Twenty One
PRESENT**

The Hon`ble Mrs. Justice T.KRISHNAVALLI

CMA(MD) . No.1643 of 2013

WEB COPY

THE DIVISIONAL MANAGER,,
UNITED INDIA INSURANCE CO.LTD. NO.4 ,
PROMENADE ROAD, CONTONMENT, TRICHY DISTRICT..

... Appellant/2nd Respondent

Vs

1 MINOR.SAKTHIVEL,
S/O.KANNAN, REP.BY HIS FATHER & GUARDIAN,,
KANNAN

...1st Respondent/Petitioner

2 MURALI, (R2 Dispensed with

... 2nd Respondent/ 1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree dated 29/11/2012 passed in MCOP No.37/2009, on the file of the Motor Accident Claims Tribunal (III Additional Sub Court), Trichirappalli.

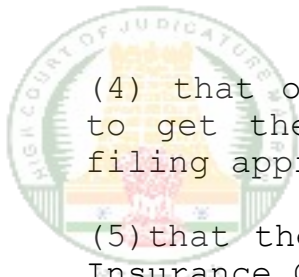
DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Thursday, the Eleventh day of March, Two Thousand Twenty One, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR. N..SIVAKUMAR, Advocate for the Appellant and of MR, N. SUDHAGAR NAGARAJ, Advocate for the first respondent and having stood over for consideration till this date, this Court doth order and decree as follows:-

(1) that the award passed of the Tribunal in dated 29/11/2012 passed in MCOP No.37/2009, on the file of the Motor Accident Claims Tribunal (III Additional Sub Court), Trichirappalli is modified and the made Civil Miscellaneous Appeal is Partly Allowed

(2) that the award of the tribunal is reduced to Rs.2,14,000/- (Two lakhs fourteen Thousand Rupees only) from Rs.4,93,100/-

(3) that the Appellant/Insurance Company be and hereby is directed to deposit the modified award amount together with interest @ 7.5% p.a. from the date of petition till the date of deposit, less the amount already deposited, within a period of 6 weeks from the date of receipt of a copy of this judgment.



(4) that on such Compliance the claimant is be and hereby entitled to get the modified amount with accrued interest and costs after filing appropriate petition before the tribunal.

(5) that the Excess amount if any shall be refunded to the appellant Insurance Company.

(6) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The III Additional Sub Court,
(The MOTOR ACCIDENT CLAIMS TRIBUNAL).
Trichirappalli

Copy to:

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

+1 CC to M/s.N.SUDHAGAR NAGARAJ, Advocate, (SR-19058 dated 09/06/2021)
+1 CC to M/s.N.SUDHAGAR NAGARAJ, Advocate, (SR-10799 dated 12/03/2021)

ORDER DATED : 09/06/2021

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DECREE

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CMA(MD) . No.1643 of 2013

Nature of Decree:-
Partly Allowed the Civi
Miscellaneous Appeal preferred
against the judgment and decree
dt.29/11/2012 of the MCOP No.37
of 2009 on the file of the
Motor Accident Claims Tribunal
III Additional Sub Court),
Trichirappalli.