



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

**Monday, the Twenty First day of June Two Thousand Twenty One
PRESENT**

**The Hon`ble Mrs.Justice T.KRISHNAVALLI
CMA(MD). No.170 of 2013**

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THE MANAGER,
RELIANCE GENERAL INSURANCE CO.LTD.
NO.23/47 , SPURTANK ROAD
CHETPET CHENNAI-600 031..

... APPELLANT/2ND RESPONDENT

Vs

1 GOPALAKRISHNAN

2 SAROJA

...1ST AND 2ND RESPONDENT/PETITIONER

3 PROFESSIONAL COURIER,
NO.12, VALLIYOOR TOWN BUS STAND, RADHAPURAM,
TALUK, TIRUNELVELI DISTRICT..

...3RD RESPONDENT/1ST RESPONDENT

Prayer:-

This Civil Miscellaneous Appeal is filed under Section 173 of M.V.Act of 1988, against the judgment and decree dated 28/07/2010 made in M.C.O.P.No.75 of 2008 on the file of the Motor Accidents Claims Tribunal/Sub Court, Valliyoor.

DECREE:-

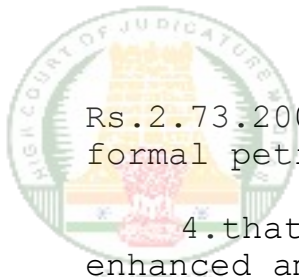
This Appeal coming on for hearing on Wednesday, the tenth day of march Two Thousand and Twenty One, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.S.SRINIVASA RAGHAVAN, Advocate for Appellant and of Mr.I.PINAYAGASH (LEGAL AID COUNSEL), Advocate for the 1st and 2nd Respondent, No appearance for 3rd Respondent, and having stood over for consideration till this day and this court while allowing the Civil Miscellaneous Appeal in part doth order and decree as follows:

1.that the award is modified into Rs.5,46,400/-(Rupees Five Lakhs and Forty six thousand and four hundred)from Rs.5,05,688/-

2.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 claim petition till the date of deposit, less the amount already deposited, within a period of six weeks from the date of receipt of a copy of this judgment herein,

3.that on such compliance, both the claimants are entitled to

<https://hcservices.ecourts.gov.in/hcservices/>



Rs.2.73.200/- each with accured interest and cost without filing any formal petition before the Tribunal.

4.that the claimants shall pay the additional Court fee for the enhanced amount.

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5.that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The SUBORDINATE JUDGE,
The MOTOR ACCIDENT CLAIMS TRIBUNAL.
VALLIYOOR.

Copy to:

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

+1 CC to M/s.S.SRINIVASARAGHAVAN, Advocate (SR-19861 dated 22/06/2021)

+1 CC to M/s.I.PINAYGASH, Advocate (SR-28020 dated 02/09/2021)

ORDER DATE :21/06/2021

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DECREE

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CMA(MD). No.170 of 2013

Nature of Decree: While Allowing the Appeal in partly allowed of the tribunal below as against the Motor Accident Claims Tribunal Sub court, Valliyoor dated 28/07/2010 in M.C.O.P.75 of 2008, as stated therein.,

RK(03/02/2022) 2P 6C