



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

Friday, the Twelfth day of February Two Thousand Twenty One
PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
CMA(MD)No.717 of 2010

Ravi alias Ravichandran

...Petitioner/Appellant

Vs

1.Thangamani

2.The Branch Manager,
The New India Assurance Company
Limited, P.P.K.Complex,
T.S.No.3548/2, 3549/1,2 I Floor,
South Main Street,
Pudukkottai.

.. Respondents/Respondents

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to allow the appeal and set aside the Judgment and Decree dated 02.08.2006 made in M.A.C.O.P.No.193 of 2004 on the file of the Motor Accidents Claims Tribunal, (Additional District Court cum Fast Track Court) Pudukkottai, in so far as it relates to restrict the claim amount of Rs.68,699/- (Rupees sixty eight thousand six hundred and ninety nine only) as against a sum of Rs,2,68,699/- (Rupees two lakhs sixty eight thousand six hundred and ninety nine only).

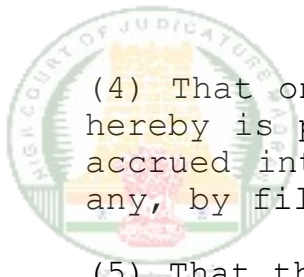
DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the Grounds of Appeal, the Judgment and Decree Motor Accidents Claims Tribunal, (Additional District Court cum Fast Track Court) Pudukkottai, and the material papers to the Appeal and upon hearing the arguments of M/s. R.P.Ramachandran, Advocate for the Appellant and of M/s.R.Srinivasan Advocate for the 2nd Respondent, this Court while Partly Allowing, the Appeal, doth order and decree as follows:-

(1) That the compensation awarded by the Tribunal is enhanced from Rs.68,699/- (Rupees sixty eight thousand six hundred and ninety nine only) to Rs.1,01,699/- (Rupees one lakh one thousand and six hundred and ninety nine only) and it is rounded of to 1,02,000/- (Rupees one lakh two thousand only) .

(2) That the amount shall be paid with interest of 6% per annum, from the date of petition till the date of realization.

(3) That the Second Respondent/Insurance Company be and hereby is directed to deposit the enhanced award amount together with accrued interest and costs, less the amount already deposited if any, within a period of eight weeks from the date of receipt of copy of this order.



(4) That on such deposit being made, the Petitioner/Claimant be and hereby is permitted to withdraw the award amount, so deposited with accrued interest and costs, less the amount already withdrawn, if any, by filing a formal petition before the Tribunal.

(5) That there be no order as to costs in this Civil Miscellaneous Appeal.

WEB COPY

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To.

The Motor Accidents Claims Tribunal,
(Additional District Court cum Fast Track Court),
Pudukkottai,

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.R.P.Ramachanthiran, Advocate (SR-5417 dated
16/02/2021)

ORDER DATED : 12/02/2021

=====

DECREE

=====

CMA(MD) .No.717 of 2010

Nature of Decree:-
Partly Allowing the Civil
Miscellaneous Appeal
preferred against the
Judgment and Decree of the
Motor Accident Claims
Tribunal, Additional District
Court cum Fast Track Court,
Pudukkottai dated 02.08.2006
made in MACOP No.193 of 2004
and giving directions etc.
stated therein