



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

Monday, the Sixteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD) . No.987 of 2013

THE BRANCH MANAGER,
UNITED INDIA INSURANCE CO.LTD.
GANESH COMPLEX
KANTONMENT TRICHY-1

.. Appellant / 2nd Respondent

Vs

1 RENGARAJAN,
S/O.NARAYANASAMY, 1913-15/2, NORTH,
RAJAVEETHI, PUDUKOTTAI .. 1st Respondent / Claimant

2 KALAIYARASAN,
S/O.JEYARAMAN, 7/52, POST OFFICE ROAD,,
THUVAHAKUDIMALAI, TRICHY-22. (R2 STOOD,
EXPARTE BEFORE THE TRIBUNAL).. 2nd Respondent / 1st
Respondent

Prayer:-

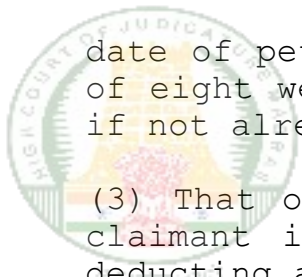
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Motor Accident Claims Tribunal, III Additional Subordinate Judge, Tiruchirapalli made in MCOP No.2269 of 2004 dated 12.10.2012.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Monday, Ninteenth day of July 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 Mrs.VIJAYAKUMARI NATARAJAN, Advocate for the Appellant and of Mr.PRASANNA VINOTH, Advocate for the first respondent, having stood over for consideration till this date, while Allowing this Appeal in part and modifying the award of the Tribunal, and this Court doth order and decree as follows:-

(1) That the award amount is reduced from Rs.4,15,785/- to Rs.3,60,185/- (Rupees Three Lakhs sixty thousand one hundred and eighty five only).

(2) That the appellant / Insurance Company is directed to deposit Rs.3,60,185/- along with interest at the rate of 7.5% p.a. from the



date of petition till the date of deposit with cost within a period of eight weeks from the date of receipt of a copy of this Judgment, if not already deposited.

(3) That on such deposit being made, the first respondent /injured claimant is permitted to withdraw the entire award amount, after deducting amount, if any, already received by him.

(4) That the claimant is not entitled for interest for the default period, if there is any default.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

THE III ADDITIONAL SUBORDIANTE JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL.
TRICHIRAPALLI.

Copy to:

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

+1 CC to M/s.B.PRASANNA VINOTH, Advocate (SR-26422 dt. 16/08/2021

+1 CC to M/s.S.NATARAJAN, Advocate (SR-26479 dt. 17/08/2021)

ORDER DATED : 16/08/2021

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DECREE
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CMA(MD). No.987 of 2013

Nature of Decree:- Partly Allowing the Civil Miscellaneous Appeal preferred against the award of the Motor Accident Claims Tribunal, III Additional Subordinate Judge, Trichirapalli made in MCOP No.2269 of 2004 dated 12.10.2012 and etc., as stated therein

KB(03.09.2021) 2P 6C

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