



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Friday, the First day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD) . No.515 of 2021

BAJAJ ALLIANZ GENERAL INSURANCE
COMPANY LIMITED THROUGH ITS BRANCH
MANAGER RAGAVI CENTRE GROUND FLOOR AND 1
2ND FLOOR NETHAJI NAGAR NANJUNDAPURAM ROAD
RAMANATHAPURAM COIMBATORE DISTRICT

... Appellant/2nd Respondent

Vs

1 SARAVANAN ...1st Respondent/Petitioner

2 RAMALINGA APPASAMY ...2nd Respondent/1st Respondent

Prayer :-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the Award dated 07.12.2020 made in M.C.O.P.No.1602 of 2017 on the file of the Motor Accidents Claims Tribunal/VI Additional District Court, Madurai.

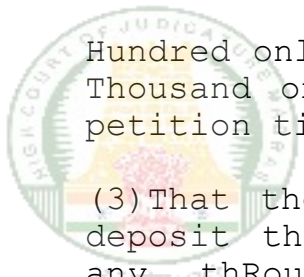
DECREE:

This Civil Miscellaneous Appeal having come up for final hearing on the Wednesday, the twenty Second day of September Two Thousand and Twenty One upon perusing the Grounds of Appeal, the Award of the motor Accidents Claims Tribunal /VI Additional District Court, Maadurai and the material records of this case and upon hearing the arguments of M/s.J.S.Murali, Advocate for the appellants and of M/s.S.M. Mohan Gandhi, Advocate for the First respondent and the Second Respondent having not appeared either in person or through his Counsel, this court having stood over the matter for consideration till this date, while partly allowing the Appeal, doth order and decree as follows:

(1). That the Civil Miscellaneous Appeal be and hereby is partly allowed and the award passed by the Motor Accidents Claims Tribunal/VI Additional District Court, Madurai, dated 07.12.2020 made in M.C.O.P.No.1602 of 2017 is modified.

(2)That the award amount be and hereby is reduced from Rs.24,96,200/- (Rupees Twenty Four Lakhs Ninety six Thousand and Two

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Hundred only) to 13,73,000/- (Rupees Thirteen Lakhs and Seventy Three Thousand only) with interest at 7.5 % per annum from the date of petition till the date of realization.

(3) That the Appellant/Insurance Company be and hereby is directed deposit the balance award amount other than already deposited if any, through E'transfer on the account of 1st respondent/Claimant within a period of one month, from the date of receipt of a copy of this order.

(4) That on such deposit being made, the First Respondent/Claimant be and hereby is permitted to withdraw the compensation amount with accrued interest and costs, by filing necessary application before the Tribunal.

(5) That there be no costs in this civil Miscellaneous Appeal

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TO

That VI Additional District Judge,
Motor Accidents Claims Tribunal,
Madurai.

Copy to

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

+1 CC to M/s. S.M. MOHAN GANDHI, Advocate (SR-31157 dated
05/10/2021)

+1 CC to M/s. J.S. MURALI, Advocate (SR-30951 dated 01/10/2021)

ORDER DATED : 08/10/2021

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DECREE
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CMA (MD) . No. 515 of 2021



Party Allowing the Civil Miscellaneous Appeal preferred against the Judgment and Decree of the Motor Accident Claims Tribunal/VI Additional District Court, Madurai dated 07.12.2020 made in MCOP.No. 1602 of 2017 and giving directions etc as stated therein.

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KB(21.10.2021) 3P 6C