



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

Thursday, the Eleventh day of February Two Thousand Twenty One
PRESENT

The Hon`ble Mrs. Justice J.NISHA BANU

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CMA(MD) . No.585 of 2019

1. L. Ganesan
2. G. Lalitha
3. G. Jayaram

... Appellant/Petitioners

Vs

1 Sriram

2 The Zonal Magager

M/s. ICICI Lombard General Insurance company,
ltd., having office at Door No.11/1B, 3rd,
floor, G.V Complex, Bye pass Road,
Madurai District..

...Respondents/ Respondents

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the M.C.O.P. NO.1805 of 2016 dated 27/02/2019 on the Motor Accident Claims Tribunal / VI Additional District Judge, Madurai District.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, 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. K. RAVI, Advocate for the Appellant and MR. P. PETHURAJESH, Advocate for the second respondent, and Ist Respondent Set exparte before the Tribunal and this Court while allowing the appeal with Modification of award of the Tribunal below, doth order and decree as follows;

(1) that the award of the Tribunal below be and hereby is enhanced from Rs.57,56,676/- to 67,72,560/- (Rupees sixty Seven Lakhs Seventy Two Thousand and Five Hundred and Sixty only) along with interest at the rate of 7.5% per annum from the date of petition till date of realisation and proportionate costs.

(2) that the 2nd Respondent herein/Insurance Company shall deposit the enhanced award amount with interest and costs, less the amount already deposited within a period of four weeks from the date of receipt of a copy of this judgment.

(3) that on such Deposit being made the appellants/Claimants is permitted to withdraw the entire amount., as appointed by the tribunal, with accrued interests and cost.



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

Sd/-

Assistant Registrar (CSIII)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal,
The VI Additional District Judge,
Madurai District.

Copy to:

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

+1 CC to M/s.P.PTHU RAJESH, Advocate (SR-4539 dated 11/02/2021)

ORDER DATED : 11/02/2021

JNBJ

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DECREE

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CMA(MD). No.585 of 2019
Nature of Decree:- Allowed
the Civil Miscellaneous
Appeal preferred against the
judgment and decree of the
M.C.O.P. NO.1805 of 2016
dated 27/02/2019 on the
Motor Accident Claims
Tribunal / VI Additional
District Judge, Madurai
District.

KB(05.03.2021) 2P 5C