



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

Wednesday, the Third day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMA(MD)No.594 of 2020

S.MEYYAPPAN

... Appellant / Claimant

/ VERSUS /

1 SURESHKUMAR

2 IFFCO TOKIO GENERAL INSURANCE COMPANY LTD.,
82 PREETHAM PLAZA,
GROUND FLOOR AND 1ST FLOOR,
CHANDRA KANDHI NAGAR,
PONMANI, MADURAI - 625018.

...Respondents / Respondents

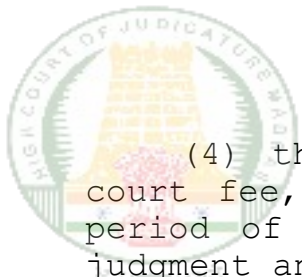
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal, Additional District Judge, Pudukkottai in MCOP No. 250 of 2016, dated 06.07.2020.

DECREE:- This Civil Miscellaneous Appeal coming up for hearing on this day, upon perusing the Grounds of Appeal, the award of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR.P.GOKULNAATH, Advocate for the Appellant and of MRS.K.R.SIVASHANKARI, Advocate for the 2nd Respondent, this Court while allowing the Appeal in part with modification of the award of the Tribunal below, doth order and decree as follows:-

(1) That, the award passed by the Motor Accident Claims Tribunal, Additional District Judge, Pudukkottai in MCOP No. 250 of 2016, dated 06.07.2020 be and hereby is enhanced to a sum of Rs.3,04,700/- (Rupees Three Lakhs Four Thousand and Seven Hundred only) from Rs.2,06,700/- ;

(2) that, the 2nd Respondent/Insurance Company be and hereby is directed to deposit the entire award amount, less the amount already deposited with accrued interest and costs, 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 Appellant/Claimant be and hereby is permitted to withdraw the entire amount awarded with accrued interest and costs without filing an application before the Tribunal ;



(4) that, the Claimant be and hereby is directed to pay the court fee, if any to be payable for the enhanced amount within a period of two weeks from the date of receipt of a copy of this judgment and

(5) That, there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The MOTOR ACCIDENT CLAIMS TRIBUNAL,
Additional District Judge, Pudukkottai

Copy to:

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

+1 CC to Mrs.K.R.SHIVA SHANKARI, Advocate (SR-8559)

ORDER DATED : 03/03/2021

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DECREE

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CMA(MD)No.594 of 2020

Nature of Decree:- ALLOWING
THE APPEAL IN PART
preferred against the
judgment and decree of the
Motor Accident Claims
Tribunal, Additional
District Judge, Pudukkottai
in MCOP No. 250 of 2016,
dated 06.07.2020 and etc.
as stated within.

SGS (CO)
TR(18.05.2021) 2P 5C