



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

Tuesday, the Seventh day of December Two Thousand Twenty One
PRESENT

The Hon`ble Mrs.Justice R.THARANI
CMA(MD) . No.1196 of 2014

WEB COPY

T.PAUL DHAS,

... Appellant/Petitioner

Vs

1 N.STALIN

2 O.M. YOOSUF

3 THE BRANCH MANAGER

THE ORIENTAL INSURANCE COMPANY LTD.,
BRANCH OFFICE IST FLOOR,
DDJ CENTRE OPP. VADASERY BUS STAND,
NAGERCOIL 629001, KANYAKUMARI DISTRICT

... Respondents/Respondents

Prayer:-

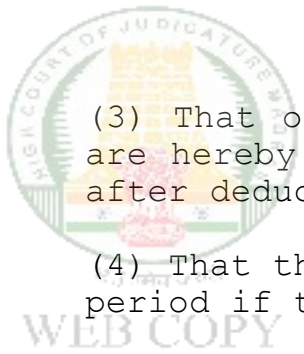
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the learned Motor Accident Claims Tribunal (Special Court) Nagercoil dated 29.02.2012 made in M.C.O.P.No.64 of 2010

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on wednesday the Twenty second day of September Two Thousand and Twenty one and 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.I.ROBERT CHANDRAKUMAR, Advocate for the Appellant and of Mr.C.JAWAHAR RAVINDRAN, Advocate for the third respondent, having stood over consideration by this Court till date while allowing the appeal in part, doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal (Special Court) Nagercoil dated 29.02.2012 made in M.C.O.P.No.64 of 2010 , dated made in be and hereby is modified by enhancing the award amount from Rs.1,10,000/- to Rs.2,00,000/- (Rupees Two Lakhs only)

(2) That the third respondent/Insurance Company herein be and hereby is directed to deposit the award amount Rs.2,00,000/- (Rupees Two Lakhs only) with 7.5% interest from the date of claim petition till the date of realizaion with cost, within a period of 8 weeks from the date of receipt of copy of this judgment.



(3) That on such deposit being made, the Appellant/claimant be and are hereby permitted to withdraw the award amount with the interest after deducting any amount received him earlier

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

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

THE SPECIAL JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, NAGERCOIL.

Copy to:

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

+1 CC to M/s.I.ROBERT CHANDRAKUMAR, Advocate (SR-37554 dated 07/12/2021)

ORDER DATED : 07/12/2021

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DECREE

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CMA(MD). No.1196 of 2014

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part preferred against the judgment and decree of the Motor Accident Claims Tribunal (Special Court) Nagercoil dated 29.02.2012 made in M.C.O.P.No.64 of 2010
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RD(17.02.2022) 2P 5C