



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

Thursday, the Twenty Third day of September Two Thousand and Twenty One

PRESENT

**The Hon`ble Mrs.Justice R.THARANI
CMA(MD) . No.1255 of 2014**

WEB COPY

ROYAL SUNDARAM ALLIANCE,
INSURANCE CO. LTD. REP BY ITS BRANCH ,
MANAGER HOSUR MAIN ROAD WILSON GARDEN ,
BANGALORE-27 .. Appellant / 2nd Respondent

Vs

- 1 R.PRAVEENKUMAR
S/O. T.V.RAJENDRAN, NO. 43/1-B, MULLAI NAGAR,,
5TH CROSS, VELAYUTHAM PALAYAM,
KARUR .. 1st Respondent / Petitioner
- 2 M.BALAJI
S/O. N.MANOCHARAN, NO.242-C 19TH CROSS, MRCR,
EXTENSION VIJAYA NAGAR,
BANGALORE-40 .. 2nd Respondent/ 1st Respondent

Prayer:-

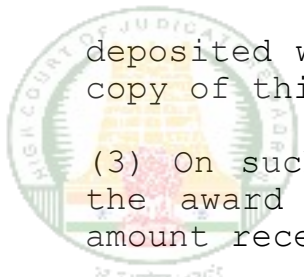
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award dated 20.02.2013 made in MCOP No.96 of 2012 on the file of the Motor Accident Claims Tribunal, Additional Subordinate Judge, Karur.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Thursday, second day of September 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 Mr.S.SRINIVASA RAGHAVAN, Advocate for the Appellant and of Mr.B.SEKAR for Mr.P.GANAPTHI SUBRAMANIAN, Advocate for the first respondent, and second respondent not appeared either in person or by an Advocate, while modifying the award of the tribunal and partly allowing the Appeal, and having stood over for consideration till this date, this Court doth order and decree as follows:-

(1) That the award of the Tribunal is reduced from 10,06,700/- to Rs.6,72,048/- (Rupees Six Lakhs seventy two thousand and forty eight only) as compensation with interest at the rate of 7.5% from the date of the claim petition till the date of realization.

(2) That the appellant is directed to deposit Rs.6,72,048/- (Rupees Six Lakhs seventy two thousand and forty eight only) with 7.5% interest from the date of claim petition till the date of realization, and the amount if not deposited earlier, has to be



deposited within a period eight weeks from the date of receipt of a copy of this order.

(3) On such deposit, the first respondent is permitted to withdraw the award amount with proportionate interest after deducting any amount received by him earlier.

(4) Excess amount, if any deposited shall be refunded to the appellant.

(5) That the first respondent is not entitled for interest for the default period, if there is any.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

THE ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL.
KARUR.

Copy to:

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

+1 CC to M/s.S.SRINIVASA RAGHAVAN, Advocate(SR-30246 24/09/2021)

ORDER DATED : 23/09/2021

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DECREE

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CMA(MD) . No.1255 of 2014

Nature of Decree:- Partly Allowing the Civil Miscellaneous Appeal preferred against the award of the Additional Subordinate Judge, Motor Accident Claims Tribunal, Karur in MCOP No.96 of 2012 dated 20.02.2013 and etc., as stated therein

KB(25.10.2021) 2P 5C