



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

Thursday, the Twenty First day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD). No.281 of 2014

RELIANCE GENERAL INSURANCE
CO. LTD NO. 570 NAGIKAM CROSS ROAD ROYAL
INDUSTRIAL ESTATE WADALA (WEST) MUMBAI -
400 031.

... Appellant/Respondent No.2

Vs

1 F. PELSI
W/O. DAVID AROKKIARAJ NO. 2 PATTINATHAR
STREET SOUTH BAZAR PALAYAMKOTTAI
TIRUNELVELI

... Respondent/ Petitioner

2 MANAGING PARTNER
M/S. AKIN ROADWAYS MOOLAKADAVU PANDAKKAL
MAHE PONDICHERRY STATE

... Respondent/Respondent - 1

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehilces Act, 1988, against the fair and decreetal order, dated 12.09.2011, made in M.C.O.P.No.115 of 2011, on the file of the Motor Accident Claims Tribunal - Additional District Judge / Fast Track Court No.II, Tirunelveli.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Wednesday, the First day of September Two Thousand 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 for the Appellant and of Mr.T.Selvakumaran for the 1st Respondent and of None appeared for the 2nd Respondent either by person or through Counsel and having stood over for consideration till this date this Court, while modifying



the award of the Tribunal and partly allowing this appeal doth order and decree as follows:-

- i) That the rate of interest is reduced to 7.5% p.a. from 8% p.a.
- ii) that the award, dated 12.09.2011, made in M.C.O.P.No.115 of 2011, on the file of the Motor Accident Claims Tribunal -Additional District Judge /Fast Track Court No.II, Tirunelveli is confirmed. The rate of interest alone is reduced from 8% p.a., to 7.5% p.a.
- iii). That the appellant / Insurance Company is directed to deposit the entire compensation of Rs.4,20,000/- along with interest at the rate of 7.5% p.a from the date of petition till the date of deposit and with cost within a period of eight weeks from the date of receipt of a copy of this judgment, if not already deposited.
- iv) That On such deposit being made, the first respondent / claimant is permitted to withdraw the entire amount, after deducting the amount, if any, already received by her.
- v) That the Claimant is not entitled for interest for the default period, if there is any default.
- vi) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Motor Accident Claims Tribunal -
Additional District Judge/ Fast Track Court No.II,
Tirunelveli.

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai



+1 CC to M/s.S.SRINIVASA RAGHAVAN, Advocate (SR-32186 dated 21/10/2021)

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-32202 dated 22/10/2021)

WEB COPY

ORDER RESERVED :01/09/2021

ORDER DELIVERED: 21/10/2021

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DECREE

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CMA(MD) . No.281 of 2014

the Civil Miscellaneous Appeal preferred against judgment and decree of the Motor Accidents Claims Tribunal-Additional District Judge/ Fast Track Court No.II, Tirunelveli dated 12.09.2011 made in M.C.O.P. No.115 of 2011.

RD/SKN(25.11.2021) 3P 6C