



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Thursday, the Second day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD) . No.286 of 2014

HARIRAM

... Appellant/Petitioner

Vs

1 SUNDAR

2 PONNAMMAL

3 THE BRANCH MANAGER,
THE NEW INDIA ASSURANCE CO.LTD., FIRST FLOOR,,
PILLARS GATE, BALAMORE ROAD, NAGERCOIL..

4 THE MANAGING DIRECTOR, TNSTC LTD.,
BYE PASS ROAD, MADURAI..

... Respondents/Respondents

Prayer:-

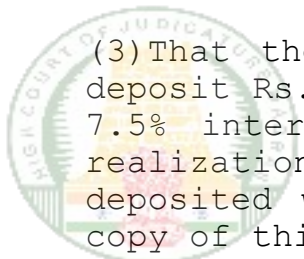
This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Tirunelveli, dated. 30.07.2012 made in M.C.O.P.No.207 of 2011.

DECREE:-

This Civil Miscellaneous Appeal having come up on Thursday , the twelfth day of August, Two thousand twenty one ,for final hearing upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of T.SELVAKUMARAN, Advocate for the Appellant and of R.MURUGAN for 1st Respondent and K.MURUGESAN, Advocate for the 3rd respondent and having stood over for consideration till this date , this Court doth order and decree as follows:-

(1) That the Civil Miscellaneous Appeal is partly allowed.

(2) That the Appellant herein be and hereby is entitled to a sum of Rs.2,30,000/- (Rupees Two Lakhs and Thirty thousand only) as compensation with interest at the rate of 7.5% from the date of the claim petition till the date of realization.



(3) That the third respondent herein be and hereby is directed to deposit Rs.2,30,000/- (Rupees Two Lakhs and Thirty thousand 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 of 8 weeks from the date of receipt of copy of this order.

(4) That on such deposit, the claimant be and hereby is permitted to withdraw the award amount with proportionate interest, after deducting any amount received earlier, and excess amount, if any deposited, shall be refunded to the third respondent.

(5) That the claimant 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 II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TO

The Chief Judicial Magistrate,
The Motor Accidents Claims Tribunal,
Tirunelveli.

Copy to:

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

+1 CC to M/s.R.MURUGAN, Advocate (SR-27961 dated 02/09/2021)

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-28104 dated 03/09/2021)
ORDER DATED : 02/09/2021

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DECREE

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CMA(MD). No.286 of 2014

Nature of Decree:-

Dismissing
the Civil Miscellaneous
Appeal preferred against the
judgment and decree of the
Motor Accidents Claims
Tribunal, Chief Judicial
Magistrate, Tirunelveli,
dated. 30.07.2012 made in
M.C.O.P.No.207 of 2011.