



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Tenth day of November Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD) . No.69 of 2014

RAJA

... Appellant/Claimant

Vs

1. NATARAJ

2. THE BRANCH MANAGER,
ICICI LOMBARD GENERAL INSURANCE CO.LTD.
CHENNAI.

(R-1 IS REMAINS SET-EXPARTE BY THE TRIBUNAL.

HENCE NOTICE MAY BE GIVEN UP AGAINST HIM)

... Respondents/Respondents

Prayer :-

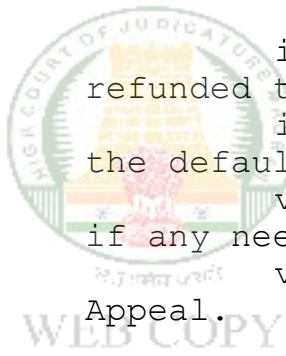
This Civil Miscellaneous Appeal is filed under Section 173 (1) of Motor Vehicles Act, 1988, to enhance the compensation to the tune of Rs.1,00,000/- in addition to compensation awarded by the Tribunal by modifying the judgment and decreetal order made in MCOP.NO.468 of 2012 dated 30/08/2013 by the Motor Accident Claims Tribunal (Additional District Court), Pudukkottai.

Decree:-

This Civil Miscellaneous Appeal having came up for final hearing on Tuesday the 14th day of September 2021, upon perusing the grounds of appeal, the order of the Tribunal and the material papers to the appeal and upon hearing the arguments of Ms. T. Banumathy, advocate for the appellant and of Mr. K.K. Ramakrishnan , advocate for the 2nd respondent and 1st respondent given up, and having stood over for consideration till this day, while partly allowing this appeal this court doth order and decree as follows:-

i) that the second respondent herein is directed to deposit Rs.1,20,000/- (Rupees One Lakh and Twenty Thousand only) with 7.5% interest from date of the 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.

<https://hcservices.ecourts.gov.in/hcservices/> that on such deposit, the claimant is permitted to withdraw the award amount with proportionate interest after deducting any amount received by him earlier.



iii) that the excess amount, if any deposited shall be refunded to the second respondent herein.
iv) that the claimant is, not entitled for any interest for the default period.
v) that the appellant is directed to pay extra court fee, if any needed
vi) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accidents Claims Tribunal,
Additional District Judge,
Pudukkottai.

Copy to:

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

+1 CC to M/s.K.K.RAMAKRISHNAN, Advocate (SR-34145 dated 11/11/2021)

ORDER DATED : 10/11/2021

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DECREE

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CMA(MD). No.69 of 2014

Partly Allowing the CMA(MD) NO.69/2014 preferred against judgment and decree passed by the Motor Accidents Claims Tribunal, Additional District Judge, Pudukkottai, passed in MCOP NO.468 of 2012, dated 30/08/2013 etc., as stated within.

MGJ/PM(24.11.2021) 2P 5C