



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

**Wednesday, the Sixth day of October, Two Thousand and Twenty One
PRESENT**

THE HONOURABLE MRS.JUSTICE R.THARANI

CMA(MD) . No.946 of 2014

WEB COPY

National Insurance Company Ltd.,
Rep. By its Branch Manager,
No.378, Mint Street,
Chennai - 79.

... Appellant/Respondent

Vs.

1. A.Santhanakumar
2. Ariyaselvi
3. S.Shanmugam

... Respondents/Petitioners

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the I Additional District Judge, Motor Accident Claims Tribunal/I Additional District Court, Tirunelveli, dated 21.10.2013 made in M.C.O.P. No.260 of 2013.

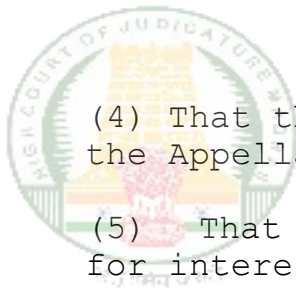
DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the Memorandum of 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 the Respondents herein not appearing either in person or through Advocate, this Court while allowing this Appeal in-part, doth order and decree as follows:-

(1) That the compensation amount of Rs.9,29,000/- (Rupees Nine Lakhs and Twenty Nine Thousand only) passed under the Award dated 21.10.2013 made in M.C.O.P. No.260 of 2013 on the file of the Motor Accident Claims Tribunal/I Additional District Court, Tirunelveli be and hereby is reduced to a sum of Rs.7,50,000/- (Rupees Seven Lakhs and Fifty Thousand only);

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the entire compensation amount of Rs.7,50,000/- (Rupees Seven Lakhs and Fifty Thousand only) along with interest at the rate of 7.5% per annum from the date of petition till the date of deposit and with costs, within a period of eight weeks from the date of receipt of a copy of this judgment, if not deposited already;

(3) That on such deposit being made, the Respondents/claimants be and are hereby permitted to withdraw their respective shares, as per the ratio fixed by the Tribunal, with proportionate interest, after deducting the amount received by them earlier, if any;



(4) That the excess amount deposited, if any, shall be refunded to the Appellant/Insurance Company;

(5) That the Respondents/Claimants be and hereby are not entitled for interest for the default period, if any;

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Ist Additional District Judge,
The Motor Accident Claims Tribunal
(I Additional District Court),
Tirunelveli.

Copy to:

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

ORDER DATED : 06/10/2021

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DECREE
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CMA(MD) . No.946 of 2014

Nature of Decree:- Partly Allowing the Civil Miscellaneous Appeal preferred against the judgment and decree of the I Additional District Judge, Motor Accident Claims Tribunal/I Additional District Court, Tirunelveli, dated 21.10.2013 made in M.C.O.P. No.260 of 2013 and giving directions etc. as stated therein.

DKS (CO)
GC(27.12.2021) 2P 4C