



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Friday, the Fifth day of February Two Thousand and Twenty One
PRESENT
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMA(MD) . No.1129 of 2016

WEB COPY

THE DIVISIONAL MANAGER,
NATIONAL INSURANCE CO.LTD,
NO.37-C, S.N. HIGH ROAD,
OPP. HEAD POST OFFICE,
TIRUNELVELI..

.. Appellant/2nd Respondent

Vs

1 CHELLAM,

2 MINOR.VEL MURUGAN,

3 MINOR.VENSILIKA

..R1 to R3/Petitioners

4 SUBBURAMANI

.. R4/1st Respondent

Prayer:-

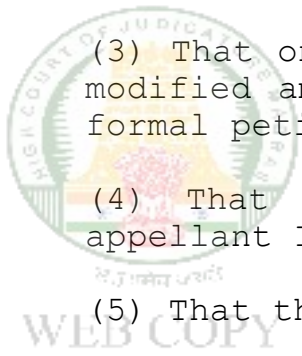
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award, dated 23/05/2014 made in M.C.O.P. No.129/2010 on the file of Motor Accident Claims Tribunal (II Additional District Judge), Tirunelveli District.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Friday, Eight day of January 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. R. KRISHNAN, Advocate for the respondents this Court While allowing this Appeal in Part with the Modification of award amount doth order and decree as follows:-

(1) That the award passed of the Tribunal in dated 23/05/2014, passed in M.C.O.P. No.129/2010 on the file of Motor Accident Claims Tribunal (II Additional District Judge), Tirunelveli District is modified and the claimants be and hereby are entitles to a sum of Rs. 2,00,000/- (Rupees Two Lakhs only)

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the award amount of Rs. 2,00,000/- (Rupees Twl Lakhs only) with interest @ 7.5% p.a., from the date of petition till the date of deposit.



(3) That on such deposit the claimants are entitled to withdraw the modified amount with accrued interest and costs without filing any formal petition before the tribunal.

(4) That the excess amount, if any shall be refunded to the appellant Insurance Company.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The II Additional District Judge,
(MOTOR ACCIDENT CLAIMS TRIBUNAL),
Tirunelveli District.

Copy to:

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

+1CC to M/s.S.SRINIVASA RAGHAVAN, Advocate, (SR-3647 dated 08/02/2021)

+1 CC to M/s.R.KRISHNAN, Advocate, (SR-3830 dated 08/02/2021)

ORDER DATED : 05/02/2021

DECREE

CMA(MD). No.1129 of 2016

**Nature of Decree:- Partly
Allowed the** Civil Miscellaneous
Appeal preferred against the
judgment and decree of
M.C.O.P.No. 129/2010 on the
file of Motor Accident Claims
Tribunal (II Additional
District Judge), Tirunelveli
District.

KB(17.08.2021) 2P 6C