



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Thirtieth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMA(MD) . No.1217 of 2016

1.J.Nesamony
2.Pushpam
3.Mahesh Kumar
4.Jeevarani

: Appellants/Petitioners

Vs.

1.M.Ravi
2.A.P.Selvaraj
3.The Oriental Insurance Company Limited,
rep. By its Branch Manager,
Malik Mahal,
Head Post Office Junction,
Nagercoil, Agasteeswaram Taluk,
Kanyakumari District.

: Respondents/Respondents

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Motor Accident Claims Tribunal, Principal Subordinate Court, Nagercoil in MCOP No.15 of 2000 dated 16.10.2008.

DECREE :

This Civil Miscellaneous Appeal having come up for final hearing on Friday, the Twenty second 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.TITUS, Advocate for the Appellant and of MR.K.BHASKARAN, Advocate for the 3rd respondent, having stood over for consideration till this date, while modifying the award of the Tribunal and partly allowing the Appeal, this Court doth order and decree as follows:-

(1) that the award amount Rs.15,000/- is enhanced to Rs.1,58,000/- (Rupees One Lakhs fifty eight thousand only);

(2) that the interest awarded by the Tribunal be and hereby is



(3) that the third respondent Insurance Company is directed to deposit the modified award amount with accrued interest and costs, less the amount already deposited to the credit of claim petition, within a period of six weeks from the date of receipt of a copy of this Judgment;

(4) On such the compliance, the first and second appellants /2nd and third claimants being the father and mother be and hereby are permitted to get equal share with accrued interest and cost.

(5) That the first and second appellants /2nd and third claimants be and is hereby directed to pay the additional Court Fee for the enhanced amount; and

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

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The Principal Subordinate Judge,
Motor accident Claims Tribunal,
Nagercoil.

Copy to:

1. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies
2. The Sub Assistant Registrar
AE Section,
Madurai Bench of Madras High Court, Madurai.
[for addl. Court fee]

+1 CC to M/s.S.TITUS, Advocate (SR-14308 dated 30/03/2021)

+1 CC to M/s.K.BHASKARAN, Advocate (SR-14607 dated 31/03/2021)



WEB COPY

CMA(MD). No.1217 of 2016

ORDER DATED : 30/03/2021

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D E C R E E

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CMA(MD). No.1217 of 2016

Nature of Decree:- Partly
Allowing the Civil
Miscellaneous Appeal
preferred against the
judgment and decree of the
Principal Subordinate
Court, Motor Accident
Claims Tribunal, Nagercoil
in MCOP No.15 of 2000 dated
16.10.2008 and etc., as
stated therein

KMK(CO)

TR(29.04.2021) 3P 7C