



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

**Tuesday, the Sixteenth day of November Two Thousand and Twenty One
PRESENT:**

**THE HON`BLE MR.JUSTICE V.BHARATHIDASAN
AND
THE HON`BLE MRS.JUSTICE J.NISHA BANU**

CMA(MD)No.806 of 2016

SHRIRAM GENERAL INSURANCE CO., LTD.,
DOOR NO.E-8 FIICO,
INDUSTRIAL AREA,
SITA PURA-JAIPUR,
RAJASTHAN 302 022.

... Appellant/Respondent.

Vs

1.U.NITTINKUMAR

... 1st Respondent/Petitioner.

2.SHRI MUTHU VEL SERVICE
OLD NO.100, NEW NO.16,
PERUMALPURAM COLONY,
PALAYAMKOTTAI,
TIRUNELVELI, TAMIL NADU.

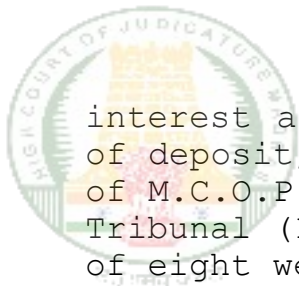
...2nd Respondent/1st Respondent.

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award dated 20/02/2015 made in M.C.O.P. No.499 of 2014 on the file of the Motor Accident Claims Tribunal (I Additional District Judge), Thoothukudi.

DECREE:-This Civil Miscellaneous Appeal coming on for hearing on Thursday, the sixteenth day of September 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.G.PRABHURAJADURAI, Advocate for the first respondent and of MR.N.GANAGASAPATHY, Advocate for the second respondent and having stood over for consideration till this date, this Court while allowing the appeal in part, doth order and decree as follows:-

(1) that the award passed by the Motor Accident Claims Tribunal (I Additional District Judge), Thoothukudi, dated 20/02/2015 made in M.C.O.P. No.499 of 2014 be and hereby is modified;

(2)that the Appellant/Insurance Company and the second respondent herein jointly and severally pay a sum of Rs.32,75,000/- (Rupees thirty two lakhs and seventy five thousand only) along with



interest at 7.5% per annum from the date of petition till the date of deposit, less the amount already deposited, if any, to the credit of M.C.O.P. No.499 of 2014 on the file of the Motor Accident Claims Tribunal (I Additional District Judge), Thoothukudi, within a period of eight weeks from the date of receipt of copy of the Order;

(3)that on such deposit being made, the 1st respondent herein be and hereby is permitted to withdraw the same, without filing formal permission petition before the Tribunal.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The I Additional District Judge,
The Motor Accident Claims Tribunal
Thoothukudi.

Copy to: The Record Keeper, V.R. Section,
Madurai Bench of Madras High Court, Madurai (2 Copies)

+2 CC to M/s.S. SRINIVASA RAGHAVAN, Advocate (SR-34630
dated 16/11/2021)

+1 CC to M/s.G. PRABHU RAJADURAI, Advocate (SR-34822
dated 17/11/2021)

ORDER DATED : 16/11/2021

=====

DECREE

=====

CMA(MD)No.806 of 2016

Allowing the Civil Miscellaneous Appeal in part preferred against the award dated 20/02/2015 made in M.C.O.P. No.499 of 2014 on the file of the Motor Accident Claims Tribunal (I Additional District Judge), Thoothukudi and etc., as stated within.

MA (CO)

GC(06.01.2022) 2P 7C

<https://hcservices.ecourts.gov.in/hcservices/>