



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Saturday, the Seventeenth day of April Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMA(MD) . No.931 of 2016

M/S.RELIANCE GENERAL INSURANCE COMPANY LTD.,
COIMBATORE. THROUGH ITS MANAGER.

... Appellant/2nd Respondent

Vs

1 R.MUNIESHWARI

2 M.RAVICHANDRAN

3 MINOR.NANDHINI

(Minor respondent represented through her next friend, guardian and mother the first respondent).

... Respondents 1 to 3/Petitioners

4 M.SATHESH KUMAR

... 4th Respondent/ 1st Respondent

Prayer:-

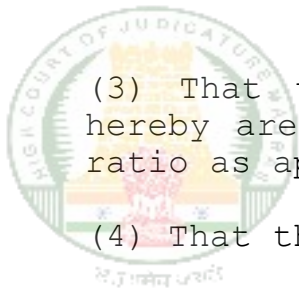
Civil Miscellaneous Appeal has been filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award and decree dated 22.07.2015 passed by the Motor Accident Claims Tribunal (Sub Court), Sivakasi, in M.C.O.P. No. 1 of 2014.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Tuesday, the Ninth day of February 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.V.SAKTHIVEL, Advocate for the Appellant and of MR.G.VENUGOPAL, Advocate for the 1st and 3rd respondents and 2nd and 4th respondents were not appeared either in person or by an Advocate, this Court having stood over for consideration till this date, while allowing the Appeal in part, doth order and decree as follows:-

(1)That the appellant herein/Insurance Company be and hereby is liable to pay the compensation for the first pillion rider.

(2) That 10% of the compensation is deducted towards contributory negligence and the respondents 1 to 3 herein/Claimants 1 to 3 be and hereby are entitled for the compensation of Rs. 8, 44, 200/- (Rupees Eight lakhs forty four thousand and two hundred only) together with interest at 7.5 % p.a and the Civil Miscellaneous Appeal is modified;



(3) That the respondents 1 to 3 herein/Claimants 1 to 3 be and hereby are entitled to withdraw their respective share in the same ratio as apportioned by the tribunal; and

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

WEB COPY

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The Sub Judge,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
Sivakasi.

Copy to:

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

+1 CC to M/s.V.SAKTHIVEL, Advocate (SR-16182 dated 17/04/2021)

ORDER DATED : 17/04/2021

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DECREE
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CMA(MD). No.931 of 2016

Nature of Decree:- Partly allowing the Civil Miscellaneous Appeal preferred against the award and decree dated 22.07.2015 passed by the Motor Accident Claims Tribunal (Sub Court), Sivakasi, in M.C.O.P. No. 1 of 2014 etc., as stated within.

KK(23.06.2021) 2P 5C