



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

Tuesday, the Twenty Third day of February Two Thousand and Twenty  
One  
PRESENT

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The Hon'ble Mrs.Justice T.KRISHNAVALLI

CMA(MD) . No.1073 of 2015

and

CROSS OBJECTION(MD) NO. 33 OF 2015

M/S. UNITED INDIA INSURANCE COMPANY LIMITED,  
BHARATHIDASAN SALAI ,  
CONTONMENT TRICHY-1.

... Appellant in CMA/1st Respondent  
in CROSS OBJECTION/ 2nd Respondent

Vs

1 P.NEELA

2 P.PAULRAJ

3 P.RAJIVGANDHI

... Respondents-1 to 3 in CMA/ Cross  
Appellants/Petitioner 1 to 3

4 C.MADHUSUTHANA RAO  
(4TH RESPONDENT GIVEN UP).

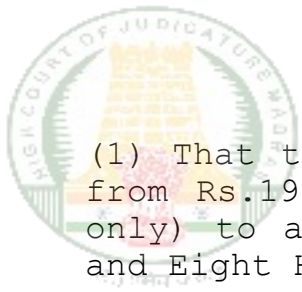
... Respondent-4 in CMA/2nd Respondent  
in CROSS OBJECTION/4th Respondent

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988 and Cross Objection filed under Order XLI, Rule 22 r/w section 96(1) and (2) of the Code of Civil Procedure, preferred against the judgment and decree of the Motor Accident Claims Tribunal cum Special District Court, Thiruchirapalli, dated 20.02.2015 made in M.C.O.P.No.130 of 2013.

DECREE:-

This Civil Miscellaneous Appeal and Cross Objection are having come up for final hearing on Tuesday, the Nineteenth 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.C.JAWAHAR RAVINDRAN, Advocate for the Appellant in CMA and for first Respondent in CROSS OBJECTION and of MR.M.SARAVANAN , Advocate for the respondents 1 to 3 in CMA and Appellants in CROSS OBJECTION, having stood over consideration till this day, and this Court while allowing the Appeal in part by modify the award of the Tribunal and dismissing

https://hds.courts.gov.in/cj/jcs/ Objection, doth order and decree as follows:-



(1) That the award amount of the Tribunal be and hereby is reduced from Rs.19,84,000/- (Rupees Nineteen Lakhs and Eighty Four Thousand only) to a sum of Rs.15,10,800/- (Rupees Fifteen Lakhs Ten Thousand and Eight Hundred only);

(2) That the rate of interest at 7.5% p.a. awarded by the Tribunal is maintained;

(3) That the Appellant in CMA/1st Respondent in CROSS OBJECTION/Insurance Company be and hereby is directed to deposit the modified award amount together with accrued interest and costs, less the amount already deposited, within a period of six weeks from the date of receipt of copy of this judgment;

(4) That On such deposited being made, the Respondents-1&2 in CMA/ Cross Appellants-1&2/Claimants-1&2 are entitled to withdraw Rs.6,00,000/- (Rupees Six Lakhs Only) each and Respondent-3 in CMA/ Cross Appellant3/Claimant-3 is entitled to withdraw Rs.3,10,800/- (Rupees Three Lakhs Ten Thousand and Eight Hundred only) together with the accrued interest and costs, less the amount already withdrawn;

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TO

The Special District Judge,  
Motor Accident Claims Tribunal,  
Thiruchirapalli.

Copy to:

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

+1 CC to M/s.R.SUBRAMANIAN, Advocate, SR-6991



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**CMA(MD). No.1073 of 2015**

ORDER DATED : 23/02/2021

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DECREE

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CMA(MD) . No.1073 of 2015

and

CROSS OBJECTION(MD) NO. 33 OF 2015

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part and dismissing the Cross Objection preferred against the judgment and decree of the Motor Accident Claims Tribunal cum Special District Court, Thiruchirapalli, dated 20.02.2015 made in M.C.O.P.No.130 of 2013, etc. as stated within.

KB(11.03.2021) 3P 5C