



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Nineteenth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMA(MD). No.135 of 2015

WEB COPY

1. THAMARAISELVI
2. ATHI GANAPATHY ... Appellants/Claimants

Vs

R.M.SHANMUGA SUNDARAM (DIED)

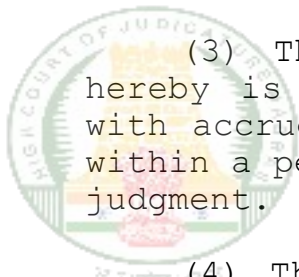
- 1 ROYAL SUNDARAM ALIANCE CO.LTD.,
SUNDARAM TOWERS,
45 & 46, WHITES ROAD, CHENNAI.
- 2 BANUMATHI,
- 3 RAMANATHAN,
- 4 SENTHILNATHAN,
- 5 MARIMUTHU ... Respondents 1 to 5/ Respondent 2 to 6

Prayer:-Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award dated 13.09.2013 made in M.C.O.P. No. 462 of 2007 on the file of Motor Accident Claims Tribunal(Additional District and Sessions Court), Pudukkottai.

DECREE:-This Civil Miscellaneous Appeal having come up for final hearing on Friday, the Eighth 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. R.MS. SETHURAMAN, Advocate for the Appellant and of MR.M.E.ILANGO, Advocate for the 1st respondent, Respondents 2 to 5 are 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 award passed by the Motor Accident Claims Tribunal (Additional District and Sessions Court), Pudukkottai, dated 13.09.2013 made in M.C.O.P. No. 462 of 2007 be and hereby is modified and the award of Rs. 12,30,800/- (Rs. Twelve Lakhs Thirty Thousand and Eight Hundred only) is enhanced to Rs. 12,77,843/- (Twelve Lakhs Seventy Seven Thousand Eight Hundred and Forty Three only);

(2) That the interest at the rate of 7.5% per annum awarded by the Tribunal is maintained;



(3) That the 1st Respondent herein /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 the judgment.

(4) That on such deposit being made, the Appellants/claimants be and hereby are entitle to get equal share, less the amount already withdrawn;

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

THE ADDITIONAL DISTRICT AND SESSIONS COURT
MOTOR ACCIDENT CLAIMS TRIBUNAL.
PUDUKKOTTAI.

Copy to:

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

+1 CC to Mr.K.BAALASUNDHARAM, Advocate (SR-6330 dated 19/02/2021)

+1 CC to Mr.M.E.ILANGO, Advocate (SR-6639 dated 23/02/2021)

ORDER DATED : 19/02/2021

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DECREE

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CMA(MD) . No.135 of 2015

Nature of Decree:- Partly allowing the Civil Miscellaneous Appeal preferred against the award dated 13.09.2013 made in M.C.O.P. No. 462 of 2007 on the file of Motor Accident Claims Tribunal (Additional District and Sessions Court), Pudukkottai.