



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Friday, the Fifth day of February,
Two Thousand and Twenty One

PRESENT

The Honourable Mrs.Justice T.KRISHNAVALLI
CMA(MD). No.454 of 2015

WEB COPY

THE BRANCH MANAGER,,
ICICI LOMBARD GENERAL INSURANCE CO LTD.,
A.R PLAZA, NO. 16 NORTH VELI VEETHI
MADURAI.

... Appellant/2nd Respondent

Vs

1. S.P.PALANICHAMY
2. JEEDENDRAKUMAR

... 1st Respondent/Claimant
... 2nd Respondent/1st Respondent

Prayer:-

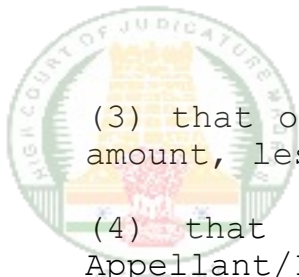
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the II Additional Subordinate Judge, Motor Accident Claims Tribunal (II Additional Subordinate Court), Madurai dated 12.09.2013 made in M.C.O.P. No.1306 of 2010.

DECREE:-

This Civil Miscellaneous Appeal came up for final hearing on Monday, the 4th 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.SRINIVASA RAGHAVAN, Advocate for the Appellant and of MR.K.SUDALAIYANDI, Advocate for the first respondent, and the second respondent not appearing either in person or through Advocate, this Court having stood over the matter for consideration till this date, while allowing the Appeal in part, doth order and decree as follows:-

(1) That the Award amount of Rs.17,90,114/- (Rupees Seventeen Lakhs Ninety Thousand One Hundred and Fourteen only) passed by the Motor Accident Claims Tribunal (II Additional Subordinate Court), Madurai dated 12.09.2013 made in M.C.O.P. No.1306 of 2010 be and hereby is reduced to a sum of Rs.3,91,740/- (Rupees Three Lakhs Ninety One Thousand Seven Hundred and Forty only) at the rate of 7.5% per annum;

(2) that the Appellant/Insurance company do deposit the modified Award amount together with interest and costs, less the amount already deposited, within a period of six weeks from the date of receipt of a copy of the judgment;



(3) that on such compliance, the Claimant shall withdraw the entire amount, less the amount already withdrawn;

(4) that the excess amount, if any, shall be refunded to the Appellant/Insurance company;

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The II Additional Subordinate Judge,
The Motor Accident Claims Tribunal
(The II Additional Subordinate Court),
Madurai.

Copy to:

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

+1 CC to M/s.S.SRINIVASA RAGHAVAN, Advocate (SR-3645 dated 08/02/2021)

+1 CC to M/s.K.SUDALAI YANDI, Advocate (SR-3590 dated 05/02/2021)

ORDER DATED : 05/02/2021

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DECREE

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CMA(MD). No.454 of 2015

Nature of Decree:- Partly allowing the Civil Miscellaneous Appeal preferred against judgment and decree of the II Additional Subordinate Judge, Motor Accident Claims Tribunal (II Additional Subordinate Court), Maduraidated 12.09.2013 made in M.C.O.P. No.1306 of 2010.

KB(11.03.2021) 2P 6C