



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

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

WEB COPY

PRESENT

The Hon'ble Mrs.Justice T.KRISHNAVALLI

CMA(MD) . No.609 of 2015

Prince @ Prince Selvakumar

...Appellant/Petitioner

Vs

1 Padmavathi

2 United India Insurance Co.,Ltd.,
Through its Divisional Manager,
Xavier Building, P.W.D. Road, Nagercoil.

...Respondents/Respondents

Prayer :-

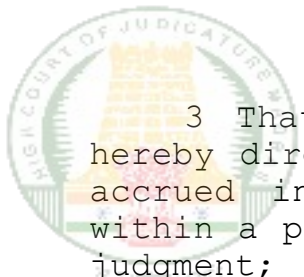
Civil Miscellaneous Appeals filed under Section 173 of Motor Vehicle Act, 1988 against the award dated 05.11.2013 made in MCOP No.375 of 2013 on the file of the Motor Accident Claims Tribunal (Special Sub Court), Tirunelveli.

DECREE:-

Civil Miscellaneous Appeal having come up for final hearing on Tuesday, the Ninteenth day of January Two Thousand and Twenty One, upon perusing the grounds of Appeals, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.T.Selvakumaran, Advocate for the Appellant and of Mr.A.Shajahan, Advocate for the 2nd Respondent and this Court while Allowing the Appeal in Part and modifying the award passed by the Tribunal below, having stood over the matter for consideration till this date, doth order and decree as follows:

1 That the award dated 05.11.2013 made in MCOP No.375 of 2013 on the file of the Motor Accident Claims Tribunal (Special Sub Court), Tirunelveli be and hereby enhanced to Rs.14,47,429/- (Rupees Fourteen Lakhs and Fourty Seven Thousand Four Hundred and Twenty Nine only) from Rs.10,23,229/- (Rupees Ten Lakhs and Twenty Three Thousand Two Hundred and Twenty Nine only);

2 That the interest at the rate of 9% per annum awarded by the tribunal is reduced to 7.5% per annum;



3 That the 2nd Respondent herein / Insurance company be and hereby 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 a copy of judgment;

4 On such compliance, the claimant be and hereby is permitted to withdraw the entire amount, less the amount already withdrawn;

5 That there no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Special Subordinate Judge, Motor Accident Claims Tribunal
Tirunelveli.

Copy to:

The Record Keeper, V.R. Section,
Madurai Bench of Madras High Court, Madurai (+2copies)

+1 CC to Mr.T.SELVAKUMARAN, Advocate, SR-16641

+1 CC to Mr.A.SHAJAHAN, Advocate, SR-16422

ORDER DATED : 17/04/2021

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DECREE

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C.M.A(MD)No.609 of 2015

Nature of Decree :

Allowing in Part and modifying the Civil Miscellaneous Appeal against the award dated 05.11.2013 made in MCOP No.375 of 2013 on the file of the Motor Accident Claims Tribunal (Special Sub Court), Tirunelveli etc. as stated within.

NS (CO)

TR(09.08.2021) 2P 6C