

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

Friday, the Twenty Ninth day of January Two Thousand Twenty One
PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI
CMA(MD). No.900 of 2015

RAMU @ SELVAM,

.. Appellant/Petitioner

Vs

1 N. PRAKASH

2 THE NEW INDIA ASSURANCE CO LTD.,
REP. BY ITS DIVISIONAL MANAGER,
DIVISIONAL OFFICE,
REKHA TOWERS,
242-B, KAMARAJAR SALAI,
MADURAI-625009..

.. Respondents/Respondent 1 and 2

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award and decree of the Motor Accident Claims Tribunal (IV Additional Subordinate Court) Madurai, dated 05.01.2012 made in MCOP.No.81 of 2008

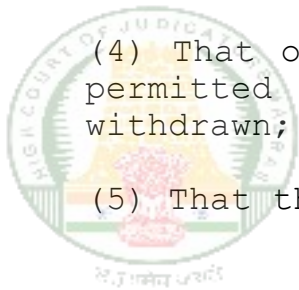
DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Tuesday the Seventh 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 Thiru.N.SUDHAGAR NAGARAJ Advocate for Thiru. A.Theethar, Advocate for the Appellant and of Ms.P.MALINI, Advocate for the Second respondent, and the first respondent not appeared either in person or through his counsel, having stood over for consideration till this day, and having stood for consideration till this date and this court, while allowing this appeal in part, doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal (IV Additional Subordinate Court) Madurai, dated 05.01.2012 made in MCOP.No.81 of 2008 be and hereby is modified by enhancing the award amount from 1,48,000/- to 1,84,000/- (Rupees One lakh and Eighty four thousand only);

(2) That the interest at the rate of 7.5% per annum, after deducting the interest for the default period from 11.08.2009 to 08.11.2010 awarded by the Tribunal be and hereby is maintained;

(3) That the 2nd Respondent /Insurance Company herein be and hereby is directed to deposit the enhanced award amount of Rs.1,84,000/- (Rupees One lakh and Eighty four thousand only) 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



(4) That on such deposit being made, the claimant be and hereby is permitted to withdraw the entire amount, less the amount already withdrawn;

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

Sd/-

Assistant Registrar (CO)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

IV Additional Subordinate Judge,
Motor Accidents Claims Tribunal, Madurai

Copy to:

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

+1 CC to M/s.P.MALINI, Advocate (SR-2461 dated 29/01/2021)

ORDER DATED : 29/01/2021

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DECREE

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CMA(MD). No.900 of 2015

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part preferred against the Motor Accident Claims Tribunal(IV Additional Subordinate Court) Madurai, dated 05.01.2012 made in MCOP.No.81 of 2008

KB(09.03.2021) 2P 5C