



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

**Tuesday, the Twenty Third day of March,
Two Thousand and Twenty One**

PRESENT

**The Honourable Mrs.Justice T.KRISHNAVALLI
CMA(MD). No.937 of 2015**

Raju

... Appellant/Petitioner

Vs.

1. Manoharan

2. The Oriental Insurance Company Ltd.,
Rep.by Branch Manager,
Trichy.

... Respondents/Respondents

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Principal Subordinate Judge, The Motor Accident Claims Tribunal (Principal Subordinate Court), Kumbakonam dated 12.08.2009 made in M.C.O.P. No.166 of 2005.

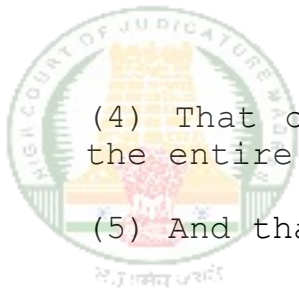
DECREE:-

This Civil Miscellaneous Appeal came up for final hearing on Thursday, the Twenty First 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.B.Anandan for M/s K.M.Karunakaran, Advocate for the Appellant, and of Mr.K.Bhaskaran, Advocate for the second Respondent herein (the first respondent not appearing in person or through Advocate), and having stood-over the matter for consideration till this date, this Court while allowing the Appeal, doth order and decree as follows:

(1) That the Award passed by the Motor Accident Claims Tribunal (Principal Subordinate Court), Kumbakonam dated 12.08.2009 made in M.C.O.P. No.166 of 2005 be and hereby is set aside;

(2) That the Appellant/Claimant be and hereby is entitled to a sum of Rs.84,819/- (Rupees Eighty Four Thousand Eight Hundred and Nineteen only) as compensation, together with interest at the rate of 7.5% per annum from the date of petition till the date of realization;

(3) That the second respondent-Insurance Company be and hereby is directed to deposit the compensation amount of Rs.84,819/- (Rupees Eighty Four Thousand Eight Hundred and Nineteen only) together with accrued interest and costs, within a period of six weeks from the date of receipt of a copy of this judgment;



(4) That on such compliance, the Appellant/Claimant shall withdraw the entire amount before the Tribunal by filing necessary petition.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Principal Subordinate Judge,
The Motor Accident Claims Tribunal (Principal Sub. Court),
Kumbakonam.

Copy to:

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

+1 CC to M/s.K.BHASKARAN, Advocate, Copy Application SR.No.13662 dated 25/03/2021.

ORDER DATED : 23/03/2021

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DECREE

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CMA(MD). No.937 of 2015

Nature of Decree:- Allowing the Civil Misc. Appeal preferred against the judgment and decree of the The Motor Accident Claims Tribunal (Principal Subordinate Court), Kumbakonam dated 12.08.2009 made in M.C.O.P. No.166 of 2005 and giving directions etc. as stated therein.

KB(26.05.2021) 2P 5C