



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Fourteenth day of June Two Thousand and Twenty One

PRESENT

The Hon'ble Mrs. Justice T. KRISHNAVALLI

CMA(MD) . No.595 of 2018

T. SATHISH KANNAN

... Appellant/Petitioner

Vs

1 A. DHANALAKSHMI

2 THE BRANCH MANAGER,

M/S. SHRIRAM GENERAL INSURANCE COMPANY LTD.,

NO.42/30-30, H.A.K. ROAD, GROUND FLOOR,

CHINNACHOCKKIKULAM, NEAR ICICI BANK,

MADURAI - 2.

... Respondents/Respondents

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award, dated 28.09.2015 made in MCOP No.49 of 2014 on the file of Motor Accident Claims Tribunal(Special Subordinate Judge), Madurai.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Thursday, Eleventh day of March 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.K.KUMARAVEL, Advocate for the Appellant and of MR.D.SIVARAMAN, Advocate for the second respondent, this court while allowing the appeal in part and modifying the award passed by the Tribunal below, having stood over for consideration till this date, doth order and decree as follows:-

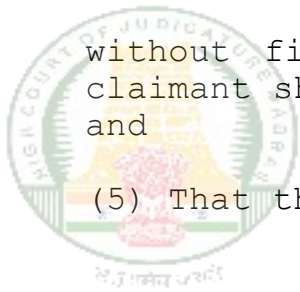
(1) That the award of the Tribunal be and hereby is enhanced from Rs.3,20,000/- (Rupees Three Lakhs and Twenty Thousand Only) to Rs.4,61,500/- (Rupees Four Lakhs Sixty One Thousand and Five Hundred Only);

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

(3) That the 2nd respondent/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 this judgment;

<https://hcservices.ecourts.gov.in/hcservices/>

(4) On such deposit being made, the appellant/claimant is permitted to withdraw the modified amount, less the amount already withdrawn



without filling any formal petition before the Tribunal and the claimant shall pay the additional court fee for the enhanced amount; and

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

Sd/-

Assistant Registrar (CO)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1.The Special Subordinate Judge,
Motor Accident Claims Tribunal,
Madurai.

2.The S.A.R, A.E.Section,
Madurai Bench of Madras High Court,
Madurai

Copy to:

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

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-19248 dated 14/06/2021)

ORDER DATED : 14/06/2021

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DECREE

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CMA(MD). No.595 of 2018

Nature of Decree:- Partly allowing
the Civil Miscellaneous Appeal
preferred against the award, dated
28.09.2015 made in MCOP No.49 of
2014 on the file of Motor Accident
Claims Tribunal(Special Subordinate
Judge), Madurai etc., stated within.

KB(29.06.2021) 2P 6C