



IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

WEB COPY

PRESENT:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

CMA No. 1329 of 2018

Elumalai

... Appellant/Claimant

Vs

1. Sampath

2. Royal Sundaram Alliance Insurance Co. Ltd.,
No.21, Pattulos Road, Chennai-2
B.R.5, R.J.Plaza, Katpadi Road,
Virudampet.

...Respondents/Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the M.V. Act, 1988 against the award and Decree dated 11.07.2017 and made in M.A.C.T.O.P.No. 3076 of 2012 on the file of Motor Accident Claims Tribunal, II Small Causes Court, Chennai.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mr.F.Terry Chellaraja, Advocate for the Appellant and Mr.G.Vasudevan, Advocate for the 2nd Respondent the 1st respondent having set exparte in lower court itself and Subsequently listed on Tuesday the Fourteenth day of June 2022 at 2.15 P.M. before the court in the presence of aforesaid counsels for Appellant and the 2nd Respondent and this court while allowing the Civil Miscellaneous Appeal, doth order and decree as follows:

1. That the Appellant herein/Claimant be and hereby is entitled for a sum of Rs.1,24,000/- (Rupees one lakh twenty four thousand only) as compensation.

2. That the second respondent herein/Insurance Company be and hereby is directed to deposit the above said amount together with interest at the rate of 7.5% per annum from the date of filing of the petition till date of deposit within a period of six weeks from the date of receipt of a copy of this order.

3. That On such deposit, that the appellant herein/claimant



be and hereby is permitted to withdraw the award amount.

4. That there be No order as to costs.

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Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

vsg

To

1. The Motor Accident Claims Tribunal,
The II Judge,
Court of Small Causes,
Chennai.

Copy To:

The Section Officer,
VR Section,
Madras High Court, Chennai.

+1cc to Mr.G.Vasudevan, Advocate, S.R.No.27752

DATED: 22/04/2022

DECREE:

CMA No. 1329 of 2018

Allowing the Civil
Miscellaneous Appeal
preferred against the
Judgment and Decree dated
11.07.2017 made in
M.A.C.T.O.P.No. 3076 of 2012
on the file of the Motor
Accident Claims Tribunal,
IIInd Small Causes, Court
Judge, Chennai, etc., as
stated therein.

MG (CO)
SB (24/06/2022)