



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

Thursday, the Seventeenth day of February Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMA(MD) . No.91 of 2020

M/S. National Insurance Company Ltd.

Represented by its Manager

74-A Paramathi Road

Namakkal District.

... Appellant/2nd Respondent

Vs

Saravanan @ Saravanakumar(DIED)

1 P.PAPPATHI

2 P.PERIYASAMY

3 N. DIVYA

... 1st& 2nd Respondent/Petitioners

... 3rd Respondent/1st Respondent

Prayer:-

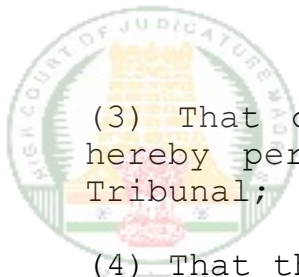
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 to set aside the Judgment and Decree dated 24/07/2019 passed in MCOP.70 of 2019 on the file of the Motor Accident Claims Tribunal Additional Sessions Judge, Karur.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this day, 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.J.S.Murali Advocate, for the Appellant and of, Mr.K.Balasubramani Advocate, for Respondents and this court while allowing the appeal in part and in modification of the award of the tribunal below, doth order and decree as follows:-

(1) that the award of the Motor Accident Claims Tribunal/ Additional Sessions Judge, Karur dated 24/07/2019 made in MCOP.70 of 2019 be and hereby is reduced from Rs.24,58,541/- to Rs.18,28,000/- (Rupees eighteen lakhs and twenty eight thousand only)

(2) That the Appellant herein/Insurance Company be and hereby is directed to deposit the award amount together with interest at 7.5% per annum within a period of 8 weeks from the date of receipt of copy of the judgment herein;



(3) That on such deposit being made, the claimants- be and are hereby permitted to withdraw their share as appropriated by the Tribunal;

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Additional Sessions Judge
The Motor Accident Claims Tribunal
Karur

Copy to:

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

+1 CC to M/s.J.S.MURALI, Advocate (SR-6974 dated 18/02/2022)

ORDER DATED :17/02/2022

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DECREE

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CMA(MD) . No.91 of 2020

Nature of Decree:- Partly allowing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal Additional Sessions Judge, Karur. Dated 24/07/2019 made in MCOP No.70/2019 and direction etc.,and as stated therein.

KB(04.04.2022) 2P 5C