



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Tuesday, the Fourth day of January Two Thousand Twenty Two
PRESENT
The Hon`ble Mrs.Justice S.ANANTHI
CMA(MD). No.118 of 2019

WEB COPY

1.KALIFULLASAHIBU

2.RALINA BEGAM

... Appellant/Petitioners

Vs

1 CHELLAMUTHU

2 UDAYAPANDI

3 RELIANCE GENERAL INSURANCE

COMPANY LTD., REP ITS MANAGER, DOOR NO.408,,
3RD FLOOR, PERUNDURAI ROAD, ERODE TOWN,,
ERODE DT.

... Respondents/Respondents

Prayer:-

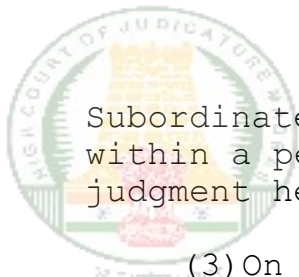
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the decree and judgment dated 24.09.2013 in M.C.O.P.No.15 of 2011, on the file of the Motro Accident Claims Tribunal cum Subordinate Judge, Devakottai.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, 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. T.SELVAKUMARAN, Advocate for the Appellant and of Mr. A.MURALI KUMAR, Advocate for the 1st respondent, Mr. V.SAKTHIVEL, Advocate for the 3rd respondent, and this Court while allowing this appeal in part doth order and decree as follows:-

(1)That the award of the Tribunal made in M.C.O.P.No.15 of 2011, on the file of the Motor Accident Claims Tribunal cum Subordinate Judge, Devakottai, be and here by is enhanced from Rs.5,44,000/-(Rupees Five lakhs and Fourty Four thousand only) to Rs.9,97,200/-(Rupees Nine lakhs Ninety Seven thousand and two hundred only) with interest at the rate of 6% per annum,

(2)That the third respondent is be and hereby directed to deposit enhanced compensation amount i.e., Rs.9,97,200/-(Rupees Nine lakhs Ninety Seven thousand and two hundred only), together with interest at the rate of 6% per annum from the date of claim petition till the date of deposit to the credit of M.C.O.P.No.15 of 2011, on the file of the Motor Accident Claims Tribunal cum



Subordinate Judge, Devakottai less the amount already deposited, within a period of six weeks from the date of receipt of copy of the judgment herein,

(3) On such deposit being made, that the appellants herein claimants be and hereby are permitted to withdraw the same by filing necessary application before the Tribunal;

(4) That the apportionment granted by the Tribunal shall be kept intact; and

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TO

The Motor Accident Claims Tribunal cum Subordinate Judge,
Devakottai.

Copy to:

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

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-617 dated 06/01/2022)

ORDER DATED : 04/01/2022

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DECREE

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CMA(MD). No.118 of 2019

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part preferred against the decree and judgment made in M.C.O.P.No.15 of 2011, dated 24.09.2013 on the file of the Motor Accident Claims Tribunal cum Subordinate Judge, as stated with in.