



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the Eighth day of March Two Thousand Twenty Two

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PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMA(MD) . No.551 of 2020

RELIANCE GENERAL INSURANCE
COMPANY LTD Through its Branch Manager,
Tirunelveli - 627 003.

...Appellant/Respondent No.2

Vs

1 MINOR.MARIYA JEROSILIN @JEEVA
D/o.Sesu Through her
Father next friend Sesu

... Respondent No.1/Petitioner

2 Bevin Raj
S/o.Thasan

...RespondentNo.2/Respondent No.1

Prayer :-

The Civil Miscellaneous Appeal filed under section 173 of Motor Vehicle Act, 1988, preferred against the award of the Principal District Judge, Motor Accident Claims Tribunal, Ramanathapuram, dated 12.09.2019, made in MCOP No.136 of 2017.

Decree:

This Civil Miscellaneous Appeal coming up for final hearing on this day and upon perusing the Grounds of Appeal, the order of the Tribunal and the material papers of the case and upon hearing the arguments of Mr.V.Sakthivel, Advocate, for the Appellant and Mr.S.Krishnan, Advocate for the 2nd Respondent, the first Respondent not appeared either in person or by an Advocate, this court while modifying the award of the Tribunal below, doth order and Decree as follows:-

i)That, the Civil Miscellaneous Appeal be and hereby is allowed to the extend as indicated in the judgment herein,

ii)that, the award passed by the Tribunal in MCOP No.136 of 2017 dated 12.09.2019, shall stand modified as one of "pay and recovery" by the appellant/Insurance Company;

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

iii) that, in all other aspects regarding quantum of compensation, the order passed by the Tribunal be and hereby are sustained; and



iv) That, there be no order as to costs in this Appeal.

Sd/-

Assistant Registrar (CS II)

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/ /2022

Sub Assistant Registrar(CS)

TO

The Principal District Judge,
Motor Accident Claims Tribunal,
Ramanathapuram

Copy to:

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

+1 CC to M/s.V.SAKTHIVEL, Advocate (SR-10659 dated 08/03/2022)

ORDER DATED : 08/03/2022

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DECREE

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CMA(MD) No.551 of 2020

Allowing the CMA(MD). No.551 preferred against the award of the Principal District Judge, Motor Accident Claims Tribunal, Ramanathapuram, dated 12.09.2019, made in MCOP No.136 of 2017.etc. as stated within.

MGJ(28.03.2022) 2P 5C