



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(CIVIL APPELLATE JURISDICTION)**

MONDAY, THE FOURTEENTH DAY OF FEBRUARY TWO THOUSAND TWENTY TWO

WEB COPY

PRESENT

THE HON`BLE MR.JUSTICE RMT.TEEKAA RAMAN

CMA(MD) . NO.1278 OF 2014

K.VELMURUGAN,

... Appellant/Petitioner

Vs

1.M.JEYALAKSHMI

2.THE NEW INDIA ASSURANCE COMPANY

BY ITS BRANCH MANAGER

1ST FLOOR EAST WEST CHAMBERS 92,

C.N.CHETTI ROAD

T. NAGAR, CHENNAI.

... Respondents/Respondents

Prayer:

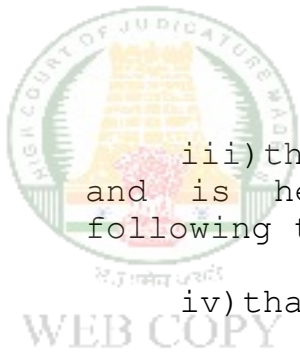
The Civil Miscellaneous Appeal filed under section 173 of Motor Vehicle Act, 1988, preferred against the award of the Additional Subordinate Judge, Motor Accident Claims Tribunal, Kumbakonam, dated 05.10.2010, made in MCOP No. 601 of 2007.

Decree:-

This Civil Miscellaneous Appeal coming on this day, upon perusing the Grounds of Appeal, the award of the Tribunal and the material papers of the case and upon hearing the arguments of Mr.Siva Thilakar, Advocate for Mr.A.George Stephen Kannikairaj Advocate, for the Appellant and of Mr.G.Prabhu Rajadurai, Advocate, for second Respondent and this court, while allowing the Appeal in part, doth order and Decree as follows:-

i)That, quantum of compensation awarded by the Tribunal be and is hereby enhanced from Rs.72,500 to Rs.85,500/- (Rupees eighty five thousand five hundred only);

ii)that, the second Respondent herein/New India Assurance Company be and is hereby directed to deposit the entire compensation of Rs.85,500/-(if not already deposited) together with interest at the rate of 7.5% per annum from the date of claim petition till date of deposit to the credit of M.C.O.P No.601 of 2007, on the file of the Motor Accident Claims Tribunal(Addl. Subordinate Judge) Kumbakonam, within a period of eight weeks from the date of receipt of a copy of the judgment herein,



iii)that, on such deposit being made, the Appellant/Claimant be and is hereby permitted to withdraw the entire amount after following the due process of law; and

iv)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 Subordinate Judge,
(Motor Accident Claims Tribunal)
Kumbakonam,

Copy to:

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

+1 CC to M/s.A.GEORGE STEPHEN KANIKKAI RAJ, Advocate (SR-6102
dated 15/02/2022)

ORDER DATED : 14/02/2022

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DECREE

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CMA(MD). No.1278 of 2014

Partly Allowing the CMA(MD).
No.1278 of 2014 preferred
against the award of the Additional
Subordinate Judge, Motor Accident
Claims Tribunal, Kumbakonam, dated
5.10.2010 made in MCOP No.601 of
2007.etc.as stated within.

SP (CO)

GC (13.04.2022) 2P 5C