



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 R.THARANI
CMA(MD). No.871 of 2014

WEB COPY

THE DIVISIONAL MANAGER,,
NATIONAL INSURANCE CO.LTD.
NO.3 NORTH VELI ST.
MADURAI..

... Appellant/2nd Respondent
Vs

1 ANBUCHERIAN,

... 1st Respondent/Petitioner

2 THAMBIAN PITCHAN,

... 2nd Respondent/1st Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal /1st Additional Sub Court, Madurai dated 06.06.2013 made in M.C.O.P.No.1916 of 2008.

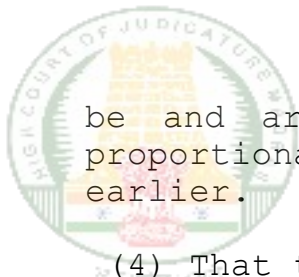
DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Wednesday the Twentieth day of October Two Thousand and Twenty One and 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.R.Srinivasan, Advocate for the Appellant and of Mr.A.Liaket Ali, for Mr.S.Ramesh @ Ramiah Advocate for the first respondent and the second respondent not appeared either in person or through his counsel and having stood over consideration till this day by this Court, while allowing the appeal in part, doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal /1st Additional Sub Court, Madurai dated 06.06.2013 and made in M.C.O.P.No.1916 of 2008. be and hereby is modified by reducing the Compensation from Rs.2,12,000/- to Rs.75,000, (Rupees Seventy five Thousand Only).

(2) That the Appellant/Insurance Company be and hereby is directed to deposit the enhanced compensation award amount of Rs.75,000, (Rupees Seventy five Thousand Only) along with 7.5% interest from date of the claim petition till the date of realization and the amount if not deposited earlier, within a period of Eight weeks from the date of receipt of copy of this Judgment.

<https://hcservices.tn.gov.in/hcservices> (3) That upon the deposit being made, the first respondent/Claimant



be and are hereby permitted to withdraw the award amount with proportionate interest, after deducting any amount received by him earlier.

(4) That the excess amount, if any deposited by the appellant shall be refunded to the appellant herein.

(5) That the first respondent is not entitled for interest for the default period, if there is any.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The 1st Additional Sub Court,
MOTOR ACCIDENT CLAIMS TRIBUNAL, Madurai

Copy to:

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

ORDER DATED : 04/01/2022

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DECREE

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CMA(MD) . No.871 of 2014

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part preferred against the the Motor Accident Claims Tribunal /1 st Additional Sub Court, Madurai dated 06.06.2013 made in M.C.O.P.No.1916 of 2008.
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RD(21.01.2022) 2P 4C