



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Thursday, the Twentieth day of January Two Thousand Twenty Two
PRESENT
The Hon`ble Mrs.Justice S.ANANTHI

WEB COPY

CMA(MD). No.417 of 2017

1. Nainar
 2. Ellammal
 3. Minor. Priya
 4. Minor. Radhika
- ...Appellants/Petitioners

(Minor Appellants 3 & 4 rep. by their Father
and natural guardian and next friend 1st Appellant herein)

Vs

1. Jegan Ram
 2. Reliance General Insurance Company Ltd.,
thro. its Branch Manager,
NO.29, 3rd Floor, North Usman Road,
T.Nagar, Chennai - 17.
- ... Respondents/Respondents

Prayer:-

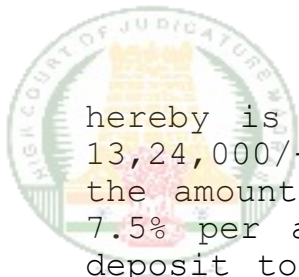
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the Judgment and Decree of the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli, dated 06.12.2014 made in M.C.O.P.No.390 of 2013.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this day, upon perusing the Grounds of Appeal, the award 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.V.SAKTHIVEL, Advocate for the 2nd Respondent and the 1st Respondent not appeared either in person or by Advocate and that the Appellants having filed additional court fee of Rs. 2665/- (Rupees Two Thousand Six Hundred and Sixty Five only), vide USR.6299 dated 03.03.2022, 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 quantum of compensation award passed by the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli, dated 06.12.2014 made in M.C.O.P.No.390 of 2013 be and hereby is enhanced to Rs. 13,24,000/- (Rupees Thirteen Lakhs Twenty Four Thousand only) from Rs. 7,58,000/-;

<https://hccs.judges.echustg.gov.in/Hccs/judges> Second Respondent/Insurance Company Ltd., be and



hereby is directed to deposit the compensation awarded ie.,Rs. 13,24,000/- (Rupees Thirteen Lakhs Twenty Four Thousand only) less the amount already deposited together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit to the credit of M.C.O.P.No.390 of 2013 on the file of the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli, within a period of 6 weeks from the date of receipt of a copy of this order;

(3) that, on such deposit being made, the claimants be and hereby are entitled to withdraw the award amount so deposited, as per the order passed by the Tribunal, after following due process of law. The ratio of apportionment made by the Tribunal shall be kept intact and

(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 MOTOR ACCIDENT CLAIMS TRIBUNAL/ IV Additional District Judge, Tirunelveli,.

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to Mr.T.SELVAKUMARAN, Advocate (SR-2058)

+1 CC to M/s.V.SAKTHIVEL, Advocate (SR-1926[F] dated 20/01/2022)

ORDER DATED : 20/01/2022

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DECREE

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CMA(MD). No.417 of 2017

Nature of Decree:- Allowing the CivilMiscellaneous Appeal in part preferred against the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli dated 06.12.2014 made in M.C.O.P.No.390 of 2013 and etc., as stated within.

KB(24.03.2022) 2P 6C