



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

CMA(MD). No.418 of 2017

Erulappan ... Appellant/Petitioner
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:-

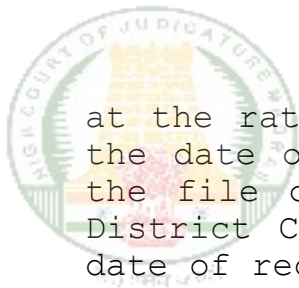
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the Judgment and Decree of the Motor Accidents Claims Tribunal/ IV Additional District Court, Tirunelveli, dated 06.12.2014 made in M.C.O.P.No.391 of 2013.

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, 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.391 of 2013 be and hereby is enhanced to Rs. 7,54,550/- (Rupees Seven Lakhs Fifty Four Thousand Five Hundred and Fifty only) from Rs. 6,75,000/-;

(2) that, the Second Respondent/Insurance Company Ltd., be and hereby is directed to deposit the compensation awarded ie.,Rs. 7,54,550/- (Rupees Seven Lakhs Fifty Four Thousand Five Hundred and Fifty only) to 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.391 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 claimant be and hereby is entitled to withdraw the award amount so deposited, as per the order passed by the Tribunal, after following due process of law 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-2063)

+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.418 of 2017

Nature of Decree:- Allowing the Civil Miscellaneous 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.391 of 2013 and etc., as stated within.

KB(24.03.2022) 2P 6C