



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the TwentySixth day of September
Two Thousand Twenty Two

PRESENT

The Hon'ble Mrs.Justice R.THARANI
CMA(MD) .No.498 of 2017

Cholamandalam M.S.General Insurance Co.,Ltd.,
"Dare House" 2nd Floor,
N.S.C.Bose Road,
Chennai-600 001.

... Appellant/2nd Respondent

Vs

1.Selvaraj
2.Padmavathy
3.Anandh
4.Santhakumar
(Notice R.4 Dispensewith)

1to3 Respondents/Claimants
4th Respondent/1st Respondent

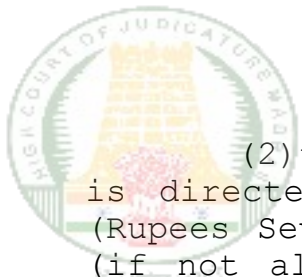
Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the Judgment and Decree dated 07/11/2016 made in MCOP.No.157 of 2014 on the file of the Motor Accident Claims Tribunal, (Special District Judge), Trichy.

DECREE:-

This civil Miscellaneous appeal having come up for hearing on Thursday the Twenty Fifth day of August Two Thousand and Twenty Two, 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.S.Srinivasa Raghavan, Advocate for the Appellant and of Mr.K.P.Narayana Kumar, Advocate for the Respondents 1 to 3 and haing stood over for consideration till this day and this Court, while Allowing this Appeal in Part and modifying the award passed by the tribunal below, doth order and decree as follows:-

(1) that the quantum of compensation award passed by the Motor Accident Claims Tribunal, (Special District Judge), Trichy dated 07/11/2016 made in M.C.O.P.No.157 of 2014 be and hereby is reduced from Rs.26,98,668/- to Rs.17,83,600/- (Rupees Seventeen Lakhs Eighty Three Thousnd and Six Hundred Only) which shall carry interest at the rate of 7.5% per annum.



(2)that the Appellant herein/Insurance Company be and hereby is directed to deposit the entire compensation of Rs.17,83,600/- (Rupees Seventeen Lakhs Eighty Three Thousand and Six Hundred Only) (if not already deposited) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit and proportionate costs to the credit of M.C.O.P.No.157 of 2014 on the file of the Motor Accident Claims Tribunal, (Special District Judge), Trichy, within a period of eight weeks from the date of receipt of a copy of this judgment.

(3)that on such deposit being made, by the Appellant herein/Insurance Company, the Respondents 1 and 2 are herein/Claimants 1 and 2 be and hereby are permitted to withdraw their share of Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand Only) each.

(4)that the 3rd Respondent herein/3rd Claimant be and hereby is permitted to withdraw his share of Rs.4,83,600/- (Rupees Four Lakhs Eighty Three Thousand and Six Hundred Only), along with proportionate interest as apportioned by the Tribunal.

(5)that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/10/2022

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal
(Special District Judge,
Trichy.

Copy to:

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

+1CC to Mr.S.Srinivasa Raghavan, Advocate in
S.R.No.47082

+1CC to Mr.K.P.Narayana Kumar, Advocate in S.R.No.47357



WEB COPY

CMA(MD)



17

ORDER DATED :26/09/20

DECREE

CMA (MD) .No.498 of 2017

While Allowing this Civil Miscellaneous Appeal in Part and modifying the award passed by the tribunal below as against the Motor Accident Claims Tribunal, (Special District Judge), Trichy made in MCOP.No.157 of 2014 dated 07/11/2016, etc.,as stated therein.

AMS (13.10.2022) 3P 6C