



C.M.A.No.1826 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

C.M.A.No.1826 of 2020

and

C.M.P.No.13506 of 2020

United India Insurance Company Ltd.,
Divisional Office Hub,
104-A, Peramanur Main Road,
Salem – 636 007.

... Appellant/2nd respondent

Vs.

1. R.Venkateswaran
2. Ramasamy

...1st Respondent / Petitioner

... 2nd Respondent/1st Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award and decree dated 08.01.2020 made in M.C.O.P.No.285 of 2018 on the file of Motor Accidents Claims Tribunal (Subordinate Judge), Omalur, Salem District.

For Appellant : Mr.D.Bhaskaran

For Respondents : No appearance

JUDGEMENT

The Civil Miscellaneous Appeal filed against the order dated



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08.01.2020 on the file of Motor Accidents Claims Tribunal (Subordinate Judge), Omalur, Salem District made in M.C.O.P.No.285 of 2018 .

2. The learned counsel for the appellant / insurance company submitted that the first respondent / claimant filed a claim petition before the Tribunal claiming compensation to the tune of Rs.65,00,000/-. After contest, the claims tribunal vide order dated 08.01.2020 awarded a sum of Rs.30,39,795/- to be payable by the insurance company in favour of the claimant. Since there was an error in the calculation made by the Tribunal, the appellant / insurance company has filed the present appeal challenging the said award.

3. He further submits that during the pendency of the appeal, the appellant insurance company filed an interlocutory application in I.A.No.01 of 2020 in M.C.O.P.No.285 of 2018 before the Tribunal seeking to modify the error committed by it, pursuant to which, the earlier award dated 08.01.2020 was modified from Rs.30,39,795/- to Rs.21,93,075/- vide order dated 08.09.2020 to be payable by the appellant / insurance company in favour of the claimant.



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4. In view of the above submission made by the learned counsel for the appellant nothing survives for adjudication in the present appeal and this civil miscellaneous appeal is closed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Speaking order / Non speaking order

Neutral Citation Case : Yes / No

To

- 1.The Motor Accidents Claims Tribunal, Omalur, Salem District
- 2.The Section Officer, V.R.Section, High Court, Madras.



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