



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)

Thursday, the Twenty Third day of March Two Thousand Twenty Three

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMA(MD) . No.904 of 2017

MADASAMY @ MURUGAN,

... Appellant/Petitioner

Vs

1 SANKARA GOMATHY

2 UNITED INDIA INSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
NO.5/1,ALAGU BAGAVATHY COMPLEX,
KAILASAPURAM MIDDLE ST.,
TIRUNELVELI.

... Respondents/Respondents

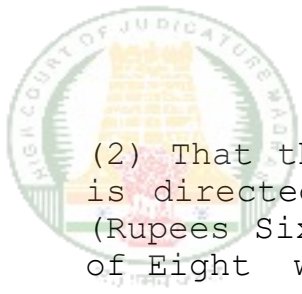
Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accidents Claims Tribunal(Special Sub Court) Tirunelveli dated 20.11.2014 made in M.C.O.P.No.1055 of 2013.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, 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.T.SELVAKUMARAN, Advocate for the Appellant and of Mr.A.ILANGO, Advocate for the Second respondent and first respondent not appeared either in person or through his counsel this Court while allowing the Appeal doth order and decree as follows:-

(1) That the award passed by the Motor Accidents Claims Tribunal(Special Sub Court) Tirunelveli dated 20.11.2014 made in M.C.O.P.No.1055 of 2013 be and hereby is modified by enhancing the award amount from Rs.15,13,000/- to 16,28,000/- (Rupees Sixteen Lakhs Twenty Eight Thousand only) and the enhanced amount shall carry interest at the rate of 7.5% from 25.11.2013 onwards.



(2) That the 2nd Respondent herein (Insurance Company) be and hereby is directed to deposit the enhanced award amount of Rs.16,28,000/- (Rupees Sixteen Lakhs Twenty Eight Thousand only) within a period of Eight weeks from the date of receipt of copy of this judgment.

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(3) That there be no order as to costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/06/2023

Sub Assistant Registrar(CS)

To
The Motor Accident Claims Tribunal
(Special Subordinate Judge),
Tirunelveli.

Copy to:
The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES).

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-17239[F] dated 24/03/2023)

+1 CC to M/s.A.ILANGO, Advocate (SR-17656[F] dated 27/03/2023)

ORDER DATED : 23/03/2023

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DECREE

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CMA(MD) . No.904 of 2017

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part preferred against the judgment and decree of the Motor Accidents Claims Tribunal(Special Sub Court) Tirunelveli dated 20.11.2014 made in M.C.O.P.No.1055 of 2013 and etc as stated within,

SI/(12.06.2023) 2P/ 6C