



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Thirty First day of March Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) . No.3733 of 2020
in
CMA(MD)No. 279 of 2020

R. Selvam, ... Appellant/Claimant

Vs

1 S.Kumaresan,
2 D.Manoharan,
3 The Regional Manager,
The Oriental Insurance Company Ltd,
Motor Third Party Claims Hub., K.J.R. Complex,
NO.16, North Veli Veethi, Madurai-625 001.
... Respondents/Respondents

Prayer in CMP(MD) . No.3733 of 2020 :-

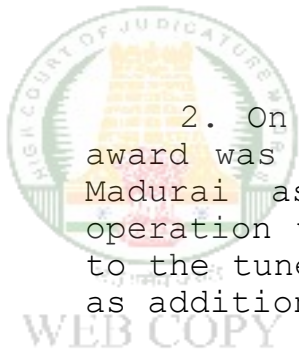
This Miscellaneous Petition filed under order 41 Rule 27 of CPC., to receive the both the documents as additional evidence of the Appeal and thus render Justice.

Prayer in CMA(MD) . 279/ 2020 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act Pleased to enhance the compensation amount from Rs.10,22,040/- to Rs.15,00,000/- in M.C.O.P.No.139 of 2015 on the file of the Motor Accident Claims Tribunal/Chief Judicial Magistrate, Madurai and thus render justice.

ORDER:- This Civil Miscellaneous Appeal coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.Kumaravel, Advocate for the Petitioner and of Mr.Jawahar Ravindran, Advocate For R3, 2nd respondent Dispensed with and the 1st respondent herein not appearing either in person or by Advocate this Court made the following order:

This peititon is filed to receive documents as additional evidence.



2. On the side of the petitioner, it is stated that after the award was passed, the claimant was admitted in a private Hospital, Madurai as in patient from 27.04.2018 till 08.05.2018 and an operation was conducted. The petitioner sustained medical expenses to the tune of Rs.62,000/- and both the documents are to be received as additional evidence.

3. On the side of the respondents, it is stated that oral evidence to substantiate the documents is necessary and hence, this petition is to be dismissed.

4. Remanding the case back to the trial for marking the document will cause undue delay in the disposal of the petition. The Act is the Welfare Act and the victim ought to be compensated as soon as possible. In the above circumstances, this petition is allowed and the documents are to be received and marked as Ex.P29 and Ex.P30.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/06/2023

Sub Assistant Registrar(CS)

TO

1. The Motor Accident Claims Tribunal- Chief Judicial Magistrate, Madurai.

Copy to:

1 The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

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

ORDER DATED : 31/03/2023

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ORDER

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CMP (MD) . No.3733 of 2020

in

CMA (MD) No. 279 of 2020

Giving direction and etc.
as stated within.