



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.1130 of 2024

Krithika

..Appellant

.VS.

1.Dr.Yinyang Krishnamurthy

2.The Manager,

The New India Assurance Company Ltd.,

Pondicherry Division Office,

TP Claims Hub, 30 JN Street,

II Floor, Pondicherry - 1.

..Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, against the judgment and decree in MCOP No.4017 of 2014, dated 30.08.2022, on the file of the Motor Accident Claims Tribunal/(Special Sub Court to Deal with MCOP, Cuddalore).

For Appellant : Ms.S.Nazira Banu

JUDGMENT

The claimant not being satisfied with the quantum of compensation awarded by the Tribunal in MCOP No.4017 of 2014, dated 30.08.2022 has filed this appeal seeking for enhancement of compensation.



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2.The case of the claimant is that on 16.11.2014, when he was riding his two wheeler along with a pillion rider near Post Office bus stop, the offending vehicle owned by the 1st respondent was driven in a rash and negligent manner and as a result, it hit the two wheeler and as a result, the claimant sustained grievous injuries.

3.The Tribunal on considering the facts and circumstances of the case and on appreciation of oral and documentary evidence, came to a conclusion that the accident had taken place only due to the rash and negligent driving on the part of the offending vehicle.

4.Having rendered the above findings, the Tribunal fixed the total compensation at Rs.50,000/- to be paid along with interest at the rate of 7.5% per annum. The claimant not being satisfied with the quantum of compensation awarded by the Tribunal has filed the present appeal before this Court seeking for enhancement of compensation.

5.Heard Ms.S.Nazira Banu, learned counsel appearing on behalf of the appellant.



6. In the considered view of this Court, the Tribunal has fixed a very reasonable compensation in this case and the same does not require the interference of this Court. Hence, this Court is not inclined to entertain this appeal and accordingly, the same is dismissed. If the compensation amount has been deposited with interest, it is left open to the appellant to withdraw the same along with accrued interest. No Costs.

06.06.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ssr

To

The Motor Accident Claims Tribunal/(Special Sub Court to Deal with MCOP),
Cuddalore.



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N. ANAND VENKATESH., J

SSR

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