



C.M.A.No.1630 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

C.M.A.No.1630 of 2023

A.Ziyaudeen

.. Appellant

Vs.

1.A.Radha Bharadwaj

(R1 remained exparte in Lower Court)

2.The Manager,

The New India Assurance Co. Ltd.,
No.45, Moore Street, Chennai – 600 001.

Now at

“Bombay Mutual Buliding” 6th Floor, T.P. Cell,
No.232, N.S.C.Bose Road,
Chennai – 600 001.

.. Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, praying to set aside the order dated 22.08.2022 passed by the learned VI Judge, Small Causes Court, Motor Accident Claims Tribunal, Chennai, in M.C.O.P.No.3705 of 2013 and award just compensation.

For Appellant : Mr.A.Shanmugaraj
For R2 : Ms.R.RathnaThara



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J U D G M E N T

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The claimant is the appellant has filed the present appeal not being satisfied with the quantum of compensation fixed by the Tribunal against the award passed by the learned VI Judge, Small Causes Court, Motor Accident Claims Tribunal, Chennai, in M.C.O.P.No.3705 of 2013 dated 22.08.2022.

2.Heard the learned counsel for the appellant and the learned counsel for the 2nd respondent.

3.This Court has carefully considered the submissions made on either side and the materials available on record.

4.On carefully going through the award passed by the Tribunal, it is seen that the Tribunal has properly appreciated the evidence and has granted reasonable compensation under each head to the claimant. Considering the simple injuries that were sustained by the claimant and was also treated as an outpatient for one day, this Court is not inclined to



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enhance the compensation awarded by the Tribunal in this case.

5. Accordingly, the compensation awarded by the Tribunal at Rs.55,000/- stands confirmed and the 2nd respondent-Insurance Company is directed to deposit the compensation, if not already deposited, together with interest at 7.5% p.a. from the date of claim petition till the date of deposit within a period of four weeks from the date of receipt of this judgment. The other directions issued by the Tribunal with regard to the mode of payment of compensation remains unaltered.

6. In the result, the Civil Miscellaneous Appeal is dismissed. No costs.

14.06.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1. The VI Judge,
Motor Accident Claims Tribunal,
Small Causes Court, Chennai.



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N.ANAND VENKATESH, J.

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2.The Section Officer,
VR Section,
Madras High Court,
Chennai.

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