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C.M.A.No.3101 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.M.A.No.3101 of 2023

and

CMP.No.29297 of 2023

The New India Assurance Company Ltd
CDU IX Garden Apartments
No.68, Purasaiwalkam High Road,
Chennai.

.. Appellant

Vs.

1. Y.D.Ravivarma

2. D.J.Anvesh

.. Respondents

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the Judgment and Decree dated 25.06.2013 passed in M.C.O.P.No.4389 of 2011 by the learned Motor Accident Claims Tribunal, No.IV, Chennai.

For Appellant : Mr.R.Neethe Perumal



JUDGMENT

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This Appeal has been filed by the Transport Corporation challenging the Award dated 25.06.2013 passed by the Motor Accident Claims Tribunal, IV Court of Small Causes, Chennai in M.C.O.P.No.4389 of 2011, directing the Appellant/Insurance Company to pay the Claimant a sum of Rs.6,59,300/- as compensation for the injuries sustained by her in an accident which occurred on 29.07.2011.

2. When the matter was taken up for hearing, it was represented by the learned counsel appearing on either side that seeking enhancement of compensation granted by the Tribunal in M.C.O.P.No.4389 of 2011, the Claimant has preferred an Appeal before this Court in C.M.A.No.3147 of 2013 and the Division Bench of this Court vide Judgment dated 14.03.2018 has enhanced the compensation to Rs.7,00,000/-.

3. When the Division Bench of this Court has already taken a decision to enhance the compensation granted by the Tribunal, in respect of the very same accident, nothing survives for adjudication in this Civil Miscellaneous Appeal.



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4. In view of the same, this Civil Miscellaneous Appeal stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

10.01.2024

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Index : Yes / No
Internet : Yes / No

To

1. Motor Accident Claims Tribunal,
IV Court of Small Causes, Chennai.
2. The Section Officer,
VR Section,
High Court,
Madras.

KRISHNAN RAMASAMY, J.

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