



C.M.A(MD)No.363 to 365, 479 & 480 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.01.2026

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

C.M.A(MD)Nos.363 to 365, 479 and 480 of 2019
and
C.M.P.(MD).Nos.4512 to 4514 of 2019

C.M.A.(MD).No.363 of 2019:

National Insurance Company Limited
Through its Divisional Manager,
No.37.C, S.N.High Road,
Opposite to Head Post Office,
Tirunelveli.

... Appellant/ 2nd Respondent

Vs.

1.Dhanushkodi Athithan	... 1 st Respondent /Petitioner
2.Madasamy	... 2 nd Respondent/1 st Respondent
3.Anusha Devi	... 3 rd Respondent /3 rd Respondent
4.Akilan	... 4 th Respondent /4 th Respondent



C.M.A(MD)No.363 to 365, 479 & 480 of 2019

PRAYER: Civil Miscellaneous Appeal has been filed under Section 173 of Motor Vehicles Act, 1988 to set aside the fair and Decreetal order made in M.C.O.P.No.207 of 2008 dated 06.01.2018, on the file of the Motor Accident Claims Tribunal, I Additional District and Sessions Court, Tirunelveli.

C.M.A.(MD).No.364 of 2019:

National Insurance Company Limited
Through its Divisional Manager,
No.37.C, S.N.High Road,
Opposite to Head Post Office,
Tirunelveli.

... Appellant/ 2nd Respondent

Vs.

1.Dhanushkodi Athithan
2.Dhanush Mageshi
3.Anusha Devi
4.Dhanesh Athithan
5.Madasmy

... Respondents

PRAYER: Civil Miscellaneous Appeal has been filed under Section 173 of Motor Vehicles Act, 1988 to set aside the fair and Decreetal order made in M.C.O.P.No.318 of 2008 dated 06.01.2018, on the file of the Motor Accident Claims Tribunal, I Additional District and Sessions Court, Tirunelveli.



C.M.A(MD)No.363 to 365, 479 & 480 of 2019

C.M.A.(MD).No.365 of 2019:

National Insurance Company Limited
Through its Divisional Manager,
No.37.C, S.N.High Road,
Opposite to Head Post Office,
Tirunelveli.

... Appellant/ 2nd Respondent

Vs.

1.Akilan
2.Madasamy
3.Anush Devi

...Respondents

PRAYER: Civil Miscellaneous Appeal has been filed under Section 173 of Motor Vehicles Act, 1988 to set aside the fair and Decreetal order made in M.C.O.P.No.335 of 2008 dated 06.01.2018, on the file of the Motor Accident Claims Tribunal, I Additional District and Sessions Court, Tirunelveli.

C.M.A.(MD).No.479 of 2019:

Dhanushikodi Athithan

... Appellant

Vs.

1.Madasamy
2.National Insurance Company Limited
Through its Divisional Manager,
No.37.C, S.N.High Road,
Opposite to Head Post Office,
Tirunelveli.



C.M.A(MD)No.363 to 365, 479 & 480 of 2019

3.Anush Devi

4.Akilan

... Respondents

PRAYER: Civil Miscellaneous Appeal has been filed under Section 173 of Motor Vehicles Act, 1988 to set aside the fair and Decreetal order made in M.C.O.P.No.207 of 2008 dated 06.01.2018, on the file of the Motor Accident Claims Tribunal, I Additional District and Sessions Court, Tirunelveli.

C.M.A.(MD).No.480 of 2019:

1.Dhanushikodi Athithan

2.Dhanusha Magesh

3.Anusha Devi

4.Dhansh Athithan

... Appellants

Vs.

1.Madasamy

2.National Insurance Company Limited
Through its Divisional Manager,
No.37.C, S.N.High Road,
Opposite to Head Post Office,
Tirunelveli.

... Respondents

PRAYER: Civil Miscellaneous Appeal has been filed under Section 173 of Motor Vehicles Act, 1988 to set aside the fair and Decreetal order made in M.C.O.P.No.318 of 2008 dated 06.01.2018, on the file of the Motor



C.M.A(MD)No.363 to 365, 479 & 480 of 2019

Accident Claims Tribunal, I Additional District and Sessions Court,
Tirunelveli.

C.M.A(MD)Nos.363 to 365, 479 and 480 of 2019:

For Appellant : Mr.Murali
in C.M.A(MD).Nos.363 to 365/2019

: Mr.G.Prabhu Rajadurai
in C.M.A(MD).Nos.479 & 480/2019

For Respondents : Mr.G.Prabhu Rajadurai for R1 to R4
in C.M.A.(MD).Nos.363 & 364/2019

: No appearance for R1 & R3
in C.M.A.(MD).No.365/2019

: Mr.J.S.Murali, for R2
in C.M.A.(MD).No.479 & 480/2019

COMMON ORDER

[Judgment of the Court was made by **DR.G.JAYACHANDRAN .J.**]

Since there is some arithmetical error while passing the judgment in the present civil miscellaneous appeals, the appeals are listed today under the caption 'for being mentioned'.

2.We find that at para No.20 of the judgment dated 28.10.2024, under the head '*loss of income during the treatment period*', instead of Rs.35,80,002/- (Rupees Thirty Five Lakhs Eighty Thousand and Two



C.M.A(MD)No.363 to 365, 479 & 480 of 2019

Rupees only), it has been wrongly typed as Rs.38,80,002/-. Therefore, the total, which should be Rs.1,57,67,002/- has been wrongly typed as Rs.1,60,67,002/- at para Nos.20, 22 and 23 of the order dated 28.10.2024.

3.This error has been pointed out by the learned counsel appearing for the Insurance Company and after notice, the learned counsel for the claimants also concedes with the same.

4.Hence, the Registry is directed to carry out necessary correction in the judgment dated 28.10.2024 and issue fresh order copy to the parties concerned at free of costs.

5.The insurance Company is directed to deposit the entire award amount as directed vide judgment dated 28.10.2024 within a period of three weeks from the date of receipt of a copy of this order.

[G.J.J.] [K.K.R.K.J.,]
19.01.2026

Index :Yes/No

Internet :Yes/No

ta

Note: Issue order copy on 21.01.2026.



C.M.A(MD)No.363 to 365, 479 & 480 of 2019

WEB COPY

To

- 1.The I Additional District and Sessions Judge,
Motor Accident Claims Tribunal, Tirunelveli.
- 2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



C.M.A(MD)No.363 to 365, 479 & 480 of 2019

DR.G.JAYACHANDRAN.J.,
and
K.K. RAMAKRISHNAN.J.,

ta

C.M.A(MD)Nos.363 to 365, 479 and 480 of 2019

19.01.2026