



C.M.A(MD)No.481 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.03.2024**

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No.481 of 2022

Lakshmanaperumal

... Appellant

Vs.

1.Madhavan

2.The New India Assurance CO., Ltd.,

Rep. by its Branch Manager,

No.64A, Trivandrum Road,

Palayamkottai, Tirunelveli.

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act 1988, against the order, dated 10.02.2022, passed in M.C.O.P.No.1631 of 2019 on the file of the Motor Accident Claims Tribunal (Principal Sub Court), Tirunelveli.

For Appellant	: Mr.P.Samuel Gunasingh
For R1	: Np Appearance
For R2	: Mr.I.Robert Chandrakumar



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JUDGEMENT

This appeal is filed by the claimant against the order passed by the Tribunal.

2. The claimant is claiming to grant compensation for medical bills. However, the same was objected by the Respondents stating that the bills were not produced. But on perusal of the medical bills, it is seen that the claimant has taken treatment in two hospitals. The Tribunal has granted award for medical bills issued by one hospital. But declined to grant the medical bill issued by another hospital, since the claimant has not marked the same by producing the witness on the side of the hospital.

3. Therefore, this Court is inclined to remit back the case to Tribunal. The claimant shall prove the same through proper evidence. It is made clear that the case is remitted for proving the medical bills alone. The Tribunal shall complete the hearing within a period of three months. The respondents have objected for remitting back the case stating that if it is remanded back, they will be saddled with interest. The respondents



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are at liberty to raise the said issue before the Tribunal.

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4.With the above said modification, this Civil Miscellaneous
Petition is partly allowed. No costs.

26.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
jbr

To

1.Motor Accident Claims Tribunal,
(Principal Sub Court), Tirunelveli.

2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

jbr

JUDGMENT made in
C.M.A(MD)No.481 of 2022

26.03.2024