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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No. 83 of 2024

Chengan [Died]

C.Veeramani

... Appellant

Vs.

1. C.Kannan

2. M/s.National Insurance Company Limited,

Represented through its Divisional Manager,

No.3, North Veli Street, 2nd Floor,

Madurai.

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, against the Order passed in M.C.O.P.No.179 of 2018 dated 24.06.2022 on the file of the District and Sessions Court for Communal Clash Cases/Motor Accident Claims Tribunal, Madurai.

For Appellant : M/s.E.Esakki

For R-2 : Mr.V.Sakthivel

JUDGEMENT

The claimants have preferred this appeal for enhancing the awarded amount passed in M.C.O.P.No.179 of 2018, dated 24.06.2022 on the



file of the District and Sessions Court for Communal Clash Cases/Motor Accident Claims Tribunal, Madurai.

2. The Tribunal has awarded a sum of Rs.1 Lakh, as compensation. The claimants have filed this appeal seeking to enhance to Rs.5 Lakhs based on the statutory amendment.

3. Since the accident had occurred prior to the Statutory amendment, the Civil Miscellaneous Appeal cannot be entertained.

4. Accordingly, this Civil Miscellaneous Appeal is closed. If the Insurance Company has already deposited the compensation amount, the claimants are permitted to withdraw the compensation amount, as apportioned by the Tribunal. No Costs.

12.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1. The District and Sessions Court for Communal Clash Cases/
Motor Accident Claims Tribunal,
Madurai.
2. The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

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**Order made in
C.M.A(MD)No.83 of 2024**

12.02.2024