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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No.1315 of 2023

P.Suresh

... Appellant

Vs.

1.Arjunkumar

2.The Branch Manager,
Reliance General Insurance Company Limited,
No.56, Meenakshi Plaza,
80 Feet Road, Anna Nagar,
Madurai – 625 020.

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicle Act, against the award made in M.C.O.P.No.147 of 2015, dated 23.03.2023 on the file of the Motor Accident Claims Tribunal/Special Subordinate Court, Madurai.

For Appellant : Mr.P.Prabhakaran

For R1 : No Appearance

For R2 : Mr.V.Sakthivel

JUDGMENT

This Civil Miscellaneous Appeal is filed by the claimant against the award passed in M.C.O.P.No.147 of 2015, dated 23.03.2023 on the file of the Motor Accident Claims Tribunal/Special Subordinate Court, Madurai.



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2. It is a case of injury. The contention of the claimant is that he had filed copies of medical bills. But the Insurance company had objected since the bills were not certified by the concerned hospital. Based on the objection, the Tribunal has declined to accept the medical bills which were marked as Ex.P.7 & P.8.

3. The Learned counsel appearing for the Appellant submitted that now the Appellant has submitted additional typed set of papers containing certificate copies of medical bills and the same ought to be taken for consideration. But the respondent submitted that the said additional typed set of papers cannot be accepted, since it ought to be proved through witness.

4. Therefore, this Court is of the considered opinion that the case ought to be remitted back to the Tribunal for re-considering the certified copies of the medical bills. To that extent only, the matter is remitted back to the Tribunal. The Tribunal is directed to consider the same, as per Law within a period of three months from the date of receipt of the copy of this order.



5. With the above terms, this Civil Miscellaneous Appeal is

Disposed of. No Costs.

06.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
KSA

To

1. The Motor Accident Claims Tribunal/
Special Subordinate Court,
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.1315 of 2023**

06.03.2024