

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

OP (MAC).No. 156 of 2015 (O)

**AGAINST THE JUDGMENT IN OPMV 1497/2005 of ADDL. MOTOR ACCIDENTS CLAIMS
TRIBUNAL, THRISSUR DATED 11-03-2015**

APPELLANTS/2ND & 3RD PETITIONER(S) :

1. **DEVI, AGED 26 YEARS,
D/O.LATE DASAN, SHARANTHUVETIL,
PANANCHERY VILLAGE, POOVANCHIRA DESOM,
THRISSUR.**
2. **VINOJ, S/O.LATE DASAN,
SHARANTHUVETIL,
PANANCHERY VILLAGE, POOVANCHIRA DESOM,
THRISSUR.**

BY ADV. SRI.DILIP J. AKKARA

RESPONDENT(S)/2ND RESPONDENT :

**UNITED INDIA INSURANCE CO. LTD.,
P.B.NO.66, ALENGADAN BUILDING,
TANA, IRINJALAKUDA - 680 694.**

BY SRI.JOHN JOSEPH VETTIKAD, SC

**THIS OP (MAC) HAVING COME UP FOR ADMISSION ON 16-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AMV

:2:

OP (MAC).No. 156 of 2015 (O)

APPENDIX

PETITIONER(S) EXHIBITS :

**EXT.P1. : COPY OF AWARD DATED 11.03.2015 OF THE MOTOR
ACCIDENTS CLAIMS TRIBUNAL, THRISSUR IN O.P.M.V.
NO.1497/05.**

RESPONDENTS EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

AMV

V. CHITAMBARESH, J.

.....
O.P.(MAC) No.156 of 2015 (O)
.....

Dated this the 16th day of December, 2015

JUDGMENT

Heard the learned counsel for the petitioners and Adv.John Joseph Vettikad, the learned standing counsel takes notice for the respondent.

2. A total sum of Rs.5,52,000/- with interest was awarded to the widow and two children of the deceased. Ext.P1 award itself directs the payment of Rs.1,00,000/- to the widow and the deposit of the balance amount due to the children. The Tribunal has however directed the deposit to be made in a nationalised Bank for a period of 8 years.

3. The two children have now become majors and they are in urgent need of money. It is only proper that they are also paid a sum of Rs.1,00,000/- (Rupees One lakh only) each from out of the award amount. The balance amount shall however be retained in 8 years as directed by the Tribunal.

4. The petitioners are free to move an application before the Motor Accident Claims Tribunal. Any such application for release shall be entertained and orders passed accordingly. The

amount equal to that permitted to be withdrawn by the widow shall be released to the children also forthwith.

The original petition is disposed of.

Sd/-
(V.CHITAMBARESH, JUDGE)

AMV/16/12/2015