

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

RP.No. 447 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN MACA 1219/2013 of HIGH COURT OF KERALA
DATED 02-03-2015

REVIEW PETITIONER(S):APPELLANTS

1. VISWANATHAN NAIR,

S/O.GOPALA PILLAI, SALINI NIVAS, KAVUMBHAGOM.P.O
THIRUVALLA.

2. INDIRADEVI,

W/O.VISWANATHAN NAIR, SALINI NIVAS, KUVUMBHAGOM.P.O
THIRUVALLA.

BY ADVS.SRI.S.SUBHASH CHAND

SRI.SHINDO VARGHESE

RESPONDENT(S)/RESPONDENTS:

1. ANDREWS JACOB,

S/O.CHACKO, KUNNUMPURATH HOUSE, ASANPADI
CHINGAVANAM.P.O, KOTTAYAM DISTRICT.

2. MANAIGING DIRECTOR,

KERALA STATE ROAD TRANSPORT CORPORATION
THIRUVANANTHAPURAM-695001.

3. NEW INDIA ASSURANCE CO.LTD,

THAMBANUR, THIRUVANANTHAPURAM-695001.

R3 BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 16-06-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:

**T.R. RAMACHANDRAN NAIR &
P.V. ASHA, JJ.**

**R.P.No.447/2015 in
M.A.C.A. No.1219/2013**

Dated this the 16th day of June, 2015

ORDER

Asha, J.

Heard learned counsel on both sides.

2. This review petition is filed pointing out that the Tribunal had granted interest only with effect from the date of impleadment of insurance company, i.e. from 27.2.2013. In fact, the owner of the offending vehicle was already on the party array and he is found liable. Therefore, it is only just and proper that interest is to be paid with effect from the date of petition.

Accordingly, we modify the judgment directing payment of interest with effect from the date of petition, i.e. from 26.12.2008. It is also made clear that the entire award amount will carry interest at the rate of 9% per annum from the date of petition.

The review petition is accordingly disposed of.

(T.R. RAMACHANDRAN NAIR, JUDGE.)

(P.V. ASHA, JUDGE.)

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