



IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND NINETEEN

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PRESENT

THE HON'BLE MS.JUSTICE V.M.VELUMANI

C.M.A.NO.2152 OF 2015

- 1.G.Lakshmi
- 2.Minor.G.Hari
- 3.Minor.G.Kamalesh
- 4.Allibabu
- 5.A.Lakshmi.

(Minor appellants 2 and 3 are represented
by their mother and nex friend G.Lakshmi)

...Appellants/Petitioners

Vs.

The Managing Director,
Metropolitan Transport Corporation Ltd.,
No.2, Pallavan House,
Mount Road, Chennai-2.

...Respondent/Respondent

Prayer: Civil Miscellaneous Appeal filed against the Judgment and Decree, on the file of the Motor Accident Claims Tribunal, Special Sub Court No.1, Chennai, made in MCOP.No.4421 of 2009 dated 17.03.2014.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the Order and Decree of the Lower Court, and the records in the case and upon hearing the arguments of Mr.K.Suryanarayanan, Advocate for the Appellant and Respondent not appeared before this court either in person or by Advocate, the counsel for the appellant has paid the necessary additional Court Fee for the enhanced compensation at the time of filing this appeal itself, while allowing this Civil Miscellaneous Appeal in part, doth order and Decree as follows:

- 1.that the compensation awarded by the Tribunal below be and hereby is enhanced from Rs.11,83,000/- (Rupees Eleven lakh Eighty three thousand only) to Rs.15,80,800/- (Rupees fifteen lakhs eighty thousand and eight hundred only) together with interest at the rate of 7.5% per annum from the date of petition till the date of deposit;



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- 2.that the Respondent herein/Transport Corporation be and hereby is directed to deposit the enhanced award amount now determined by this court, along with interest and costs, less the amount already deposited, if any, within a period of twelve weeks from the date of receipt of a copy of the judgment to the credit of MCOP.No.4421 2009 on the file of the Motor Accident Claims Tribunal, Special Sub Court No.1, Chennai;
- 3.on such deposit being made,t he appellants 1,4 and 5 herein/claimants 1,4 and 5 be and hereby are permitted to withdraw their respective share of the enhanced award amount now determined by this Court, as per the ratio of apportionment by the Tribunal, along with proportionate interest and costs, less the amount if any, already withdrawn, by making necessary applications before the Tribunal;
- 4.that the share of the minor appellants 2 and 3 herein/Minor Claimants be and hereby are directed to be deposited in any one of the Nationalized Bank, till they attain majority;
- 5.on such deposit, that the first appellant herein/claimant being the mother of the minor appellants 2 and 3 herein, be and hereby is permitted to withdraw the accrued interest once in three months, for the welfare of the minor appellants; and
- 6.that there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

To

- 1.The Special Subordinate Judge No.1.,
Motor Accidents Claims Tribunal,
Chennai.

+1cc to Mr.K.Suryanarayanan, Advocate, S.R.No.100812

CMA.No.2152 of 2015
Nature of Decree: Partly
Allowing the Civil
Miscellaneous Appeal preferred
against the Judgment & Decree
dated 17.03.2014 made in
MCOP.No.4421 of 2009 on the



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RR(CO)
CB(04/08/2021)

file Motor Accident Claims
Tribunal, Special Sub Court
No.II, Chennai, etc., as
stated within.