



IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT :

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

C.M.A.NO.956 OF 2017

Kutti alias Subramani

...Appellant / Petitioner

/versus/

1.Thiru.P.Rajendran,

2.Cholamandalam MS General Insurance Company Limited,

12/1, 1st Floor, Sai Towers,

Pidamaneri Main Road,

Dharmapuri Town and District.

...Respondents / Respondents

Prayer: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicle Act, 1988, against the order in M.A.C.T.O.P.No.1652 of 2014 dated 18.04.2016 on the file of the Learned Motor Accident Claims Tribunal, (Special Sub Court), Dharmapuri.

Decree : This Appeal coming on for hearing on this day upon perusing the grounds of appeal, the judgment and decree of the Lower Court and the material papers of the lower court and upon hearing the arguments of Mr.B.Gopala Krishnan, Advocate for the Appellant and of Mr.E.Rajadurai for M/s.M.B.Gopalan Associates for R2 and the notice of first respondent not ready and the appellant already paid the Additional Court fee of enhanced award amount this court while allowing the Civil Miscellaneous Appeal, doth order and decree as follows : -

1. That the award passed by the Motor Accident Claims Tribunal (Special Sub Court), Dharmapuri made in MACTOP No.1652 of 2014 dated 18.04.2016 be and hereby is enhanced from Rs.1,55,000/- to Rs.1,81,500/- (Rupees One Lakh Eighty One Thousand and Five Hundred Only) with 7.5% interest from the date of filing the petition (31.01.2013) till the date of realisation.
2. That the 2nd respondent / Insurance Company shall deposit the award amount within a period of 8 weeks, from the date of receipt of copy of this judgment.
3. That on such deposit, the claimant be and hereby is entitled to withdraw the same on filing proper application.



4. That there shall be no costs in this Civil Miscellaneous Appeal.

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Sd/-
Deputy Registrar (CS)

// True Copy //

Sub Assistant Registrar

bsm

To

1. The Motor Accident Claims Tribunal,
(Special Sub Court),
Dharmapuri.

2. The Section Officer,
V.R. Section,
High Court, Madras. (2 copies)

DATED : 01/02/2021

DECREE

CMA NO.956 OF 2017

Nature of the Decree : Allowing the Civil Miscellaneous Appeal preferred against the award passed by the Motor Accident Claims Tribunal (Special Sub Court), Dharmapuri made in MACTOP No.1652 of 2014 dated 18.04.2016.

AK-I(CO)
RVM(03/09/2021)