



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE EIGHTH DAY OF MARCH

TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HON`BLE MR JUSTICE RMT.TEEKAA RAMAN

CMA NO.962 OF 2016

1. Palaniammal

2. Thangavel ... Appellants/Petitioners
Vs.

1. Raja (Ex parte)

2. The Oriental Insurance Company Limited,
Branch Office, No.3L,
Siddha Veerappa Chetty Street,
Dharmapuri Town & Dharmapuri District.

...Respondents/Respondents

PRAYER:-Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award and Decree dated 05.02.2016, made in MCOP.No.264 of 2015, on the file of Motor Accidents Claims Tribunal/Principal District Court, Namakkal.

DECREE:-This Civil Miscellaneous Appeal coming on for hearing on 8th January 2021, perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of M/s.Ma.P.Thangavel, Advocate for the appellant and 1st Respondent remained Ex-parte before the Tribunal and Mr.K.Vinod, Advocate for the 2nd Respondent, this Court while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, doth order and decree as follows:-

1.that the award and Decree of the Motor Accidents Claims Tribunal/Principal District Court, Namakkal made in M.C.O.P.No.264 of 2015 dated 05.02.2016, be and hereby is enhanced from a sum of Rs.4,51,000/- (Rupees Four Lakhs Fifty One Thousand only) to a sum of Rs.5,67,800/- (Rupees Five Lakhs Sixty Seven Thousand and Eight Hundred only) with interest at the rate of 7.5% per annum;

2.that the respondents are directed to deposit the award amount to the credit of in M.C.O.P.No.264 of 2015, within a period of Eight weeks from the date of receipt of a copy of this order, less the amount already deposited, if any;



WEB COPY

3.that on such deposit being made, the first petitioner shall be permitted to withdraw 75% of the award amount viz., Rs.4,25,850/- (Rupees Four Lakhs Twenty Five Thousand Eight Hundred and Fifty only) and the Second petitioner shall be permitted to withdraw 25% of the award amount viz., Rs.1,41,950/- (Rupees One Lakhs Forty One Thousand Nine Hundred and Fifty only) with proportionate interests, less the amount already withdraw if any;

4.that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dua
To

The Motor Accident Claims Tribunal/
Principal District Court,
Namakkal.

Copy to
The Section Officer,
Vernacular Section,
High Court, Madras - 104.

+1cc to Mr.Ma.P.Thangavel, Advocate, S.R.No.14508
+1cc to M/s.Elveera Ravindran, Advocate, S.R.No.14476

DATE : 08.03.2021

DECREE

CMA.962 of 2016

Party allowing the Civil Miscellaneous Appeal preferred against the judgment and Decree dated 05.02.2016 made in MCOP.No.264 of 2015, on the file of Motor Accidents Claims Tribunal/Principal District Court, Namakkal, etc. as stated therein.