



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Eighteenth day of September, Two Thousand and Seventeen

PRESENT

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A (MD) No.253 of 2015

- 1.Periyasamy
- 2.Minor Manikandan

(Minor 2nd Appellant is represented through
his guardian and next friend 1st Appellant)

... Appellants/petitioners

Vs.

- 1.K.Arjunan
- 2.M/s.Shriram Group of Companies (General CO)
15, Municipal Office Road,
PLA Plaza, Cantonment, Trichy -1. ... Respondents/Respondents

This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decreeal Order of the Special District Judge, Motor Accident Claims Tribunal (The Special District Court), Trichirappalli, dated 27.03.2013 passed in MCOP No. 32 of 2013.

ORDER: This Civil Miscellaneous Appeal is coming on for hearing on this day, upon perusing the grounds of Appeal, the order of the Lower Court and the material papers available in this case, and upon hearing the arguments of Mr.A.Arumugam for M/s.Ajmal Associates, Advocate for the Appellants, Mr.C.Jeganathan for M/s.Veera Associates, Advocate for the first respondent and of Mr.Anwar Sameem, Advocate for the second respondent, while allowing the Appeal in part, this Court doth order and decree as follows:

(1) That the compensation amount of Rs.3,05,000/- (Rupees Three Lakhs and Five Thousand Only) awarded under the Judgment and Decreeal order dated 27.03.2013 passed in MCOP No.32 of 2013 on the file of the Motor Accident Claims Tribunal (The Special District Court), Tiruchirappalli be and hereby is enhanced to a sum of Rs.5,47,200/- (Rupees Five Lakhs Forty Seven Thousand and Two Hundred Only) along with interest at the rate of 7.5% per annum from the date of petition till date of realization and proportionate costs;

(2) That the first and second respondents be and hereby are directed to deposit the entire award amount with accrued interest and costs, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this order;



(3) That on such deposit being made, the first appellant/first Claimant shall be permitted to withdraw his share with accrued interest and costs, as apportioned by the Tribunal, without filing any formal petition;

(4) That the Tribunal below be and hereby is directed to deposit the minor's share in any of the Nationalized Bank till he attains majority and his father shall be permitted to withdraw the interest amount once in six months;

(5) And that there be no costs in this Civil Miscellaneous Appeal;

Sd/-
Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To
The Special District Judge,
Motor Accident Claims Tribunal/The Special District Court,
Trichirappalli.

Copy to : The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)

+1cc to Mr.T.ANTONY ARUL RAJ, Advocate, SR.79479
+1cc to M/S.VEERA ASSOCIATES, Advocate, SR. 79692
+1cc to M/S.AJMAL ASSOCIATES, Advocate, SR. 79627

Dated : 18.09.2017

DECREE

C.M.A(MD)No.253 of 2015

Nature of Decree: Partly allowing the Appeal preferred against the Judgment and Decree dated 27.03.2013 in MCOP No. 32/2013 on the file of Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli and giving directions etc., as stated therein.

AM/JC/SAR 3/20.04.2018/2P/7C