

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

C.M.A.NO.1130 OF 2005

Janardhanan

(Minor Rep. by his mother and
next friend Mageswari)

.. Appellant/Petitioner

Vs.

1. P.Chandrasekaran
(R1 set exparte before the Tribunal)

2. United India Insurance Co. Ltd.,
38, Anna Salai, Chennai - 2.

.. Respondents/Respondents

Prayer:

This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, against the Judgment and Decree dated 05.11.2004 made in M.C.O.P.No.4860 of 1999, on the file of the Motor Accidents Claims Tribunal, (III Judge, Court of Small Causes) at Chennai.

For Appellant : Mr.A.N.Viswanatha Rao

For R2 : Mr.D.Baskaran

JUDGMENT

This Civil Miscellaneous Appeal has been preferred against the Judgment and Decree dated 05.11.2004 passed by the Motor Accidents Claims Tribunal, (III Judge, Court of Small Causes) at Chennai, in M.C.O.P.No.4860 of 1999, whereby, the claims Tribunal has dismissed the claim petition filed by the appellant, claiming a compensation of Rs.1,00,000/- for the injuries sustained by him in a motor vehicle accident that had occurred on 29.05.1999, on account of the vehicle belonging to the first respondent and insured with the second respondent insurance company.

2. Today, when the matter came up for hearing, the learned counsel for the second respondent insurance company, on

instructions, submitted that the second respondent insurance company agreed to pay a compensation of Rs.20,000/- with interest at 7.5% per annum from the date of filing of this appeal, taking note of the quantum of permanent disability sustained and the period of treatment undertaken by the appellant/claimant. The same has also been agreed upon by the learned counsel for the appellant/claimant.

3. Recording the said submissions made by the learned counsel on either side, this Court is inclined to award the compensation of Rs.20,000/- with interest at 7.5% per annum from the date of filing of this appeal and this appeal is accordingly disposed of. The second respondent insurance company is directed to deposit the said amount within a period of four week from the date of receipt of a copy of this judgment. It is reported that the appellant has attained majority as of now. In view of the same, the Tribunal shall transfer the amount lying in the deposit to the savings bank account of the appellant through RTGS, on making proper application. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Motor Accident Claims Tribunal,
The III Court of Small Causes,
Chennai.

2. The Section Officer,
VR Section, High Court, Madras.

+1cc to Mr.D.Baskaran, Advocate, S.R.No.49826

CA(CO)
CS/08/10/2020

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