



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
THURSDAY, THE SEVENTEENTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY ONE
PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.413 of 2013

Muniammal

..Appellant/Petitioner

Vs.

1.B.I. Avinash

2.ICICI Lombard General Insurance Co. Ltd.,
1st Floor, Arihant Plaza,
No.84/85, Waltax Road,
Chennai 600 003.

..Respondents/Respondents

Civil Miscellaneous Appeal against the Judgment and Decree of the IV Judge, Small Causes Court, (Motor Accident Claims Tribunal) Chennai dated 20.09.2012 made in M.C.O.P. No. 2168/2010.

DECREE: This Appeal coming on for hearing on this day upon perusing the grounds of appeal, the award of the Tribunal, and the material records in this case, and upon hearing the arguments of Mr.Prakash, for M/s.C & K Law Firm, Advocate for the appellant and of Ms.R. Sree Vidhya, Advocate for the 2nd Respondent, and 1st Respondent having remained set exparte before the Tribunal, this Court while allowing the appeal in part in modification of the award of the Tribunal below, doth order and Decree as follows:

1.That the Compensation awarded by the Tribunal be and hereby is enhanced from Rs. 1,43,500/- (Rupees One Lakh Forty Three Thousand and Five Hundred only) to Rs.2,28,500/- (Rupees Two Lakh Twenty Eight Thousand Five Hundred only) together with interest at the rate of 7.5% per annum from the date of Petition till the date of deposit.

2. That the 2nd Respondent/Insurance Company be and hereby is directed to deposit the award amount of Rs. 2,28,500/- along with interest and costs, within a period of six weeks from the date of receipt of a copy of this order, to the credit of M.C.O.P.2168/2010 at the first instance and recover the same from the 1st Respondent.



3. That on such deposit, the Appellant/Claimant be and hereby is permitted to withdraw the award amount of Rs.2,28,500/- along with interest and costs after adjusting the amount, if any already withdrawn by filing necessary applications before the Tribunal.

4. That there be no costs in this Appeal.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

gsa

To

1. The IV Judge,
Small Causes Court,
(Motor Accident Claims Tribunal),
Chennai.

2. The Section Officer,
V.R Section,
High Court, Madras.

+1 Cc to M/s. C & K Law Firm, Advocate sr 41629
+1 CC to Ms.R. Sreevidhya, Advocate sr 42057.

Dated: 17.12.2020

DECREE:

C.M.A.No.413 of 2013

Allowing the Appeal in part preferred against the Judgment and Decree of the IV Judge, Small Causes Court, Motor Accident Claims Tribunal, Chennai dated 20.09.2012 and made in M.C.O.P.2168/2010 etc as stated within

GP (CO)
SP(24/08/2021)