



IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE FIFTEENTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY

WEB COPY

PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.544 of 2012

1.S.Jayanthi
2.Minor.S.Pooja
3.Minor.S.Preethi .. Appellants/Petitioners
(Minor appellants 2 and 3 are represented by
their mother S.Jayanthi, 1st appellant herein)

Vs.

1.S.Rama Krishnan
2.Reliance General Insurance Company Limited,
No.6, Haddows Road,
Nungambakkam,
Chennai - 600 006. .. Respondents/Respondents

Prayer: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree of the Motor Accident Claims Tribunal, Chief Judge, Small Causes Court, Chennai, made in MCOP.No.4486 of 2009, dated 20.09.2011.

Decree: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the Judgment and Decree of the Lower Court, and the records in the case and upon hearing the arguments of Mr.K.Suryanarayanan, Advocate for Mr.M.Saravanan, Advocate for the Appellant and of Mr.S.Arun Kumar, Advocate for the second respondent/Insurance Company, the first respondent remained exparte before the Tribunal vide SR.No.17626 dated 11.11.2020, the claimants having been paid the Additional Court Fee, and this Court while allowing this Civil Miscellaneous Appeal, doth Order and Decree as follows:

1.that the Order and Decree of the Motor Accident Claims Tribunal, Chief Judge, Small Causes Court, Chennai, made in MCOP.No.4486 of 2009, dated 20.09.2011, be and hereby is modified by enhancing the compensation amount from Rs.6,50,000/- (Rupees Six lakhs fifty thousand only) to Rs.13,65,600/- (Rupees Thirteen lakhs sixty five thousand six hundred only) 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 enhanced award amount along



with interest and costs, less the amount already deposited if any, within a period of six weeks from the date of receipt of copy of this Order to the credit of MCOP.No.4486 of 2009.

- 3.that on such deposit being made, the 1st Appellant/Claimant is permitted to withdraw their respective share award amount on the basis of apportionment fixed by the Tribunal, along with proportionate interests and costs, less the amount if any, already withdrawn, by making proper application before the Tribunal.
- 4.That the minor share award amount of the 2nd & 3rd Appellant/Claimants are directed to be deposited in any one of the Nationalized Bank till the 2nd & 3rd Appellant attains majority, the first Appellant/Mother of the 2nd & 3rd Appellants is permitted to withdraw the accrued interest once in three months for the welfare of the minors appellants 2 & 3.
- 5.that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Chief Judge,
Motor Accident Claims Tribunal,
Small Causes Court,
Chennai.

Copy to:

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

+1cc to Mr.S.Arun Kumar, Advocate, S.R.No.34389

+1cc to Mr.K.Suryanarayanan, Advocate, S.R.No.34232

C.M.A.No.544 of 2012
DECREE: Allowing this Civil
Miscellaneous Appeal
preferred agains tthe
Judgment and Decree of the
Motor Accident Claims
Tribunal, Cheif Judge, Small
Causes Court, Chennai, made
in MCOP.No.4486 of 2009,
dated 20.09.2011, etc., as
stated within-No costs.

CNR (CO)

<https://hcservices.ecourts.gov.in/hcservices/>
CB(24/08/2021)