



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

C.M.A.No.1662 of 2020

The Manager,
Cholamandalam MS General
Insurance Co. Ltd.,
Regional Office,
"Dare House",
2nd Floor, No.2, N.S.C.Bose Road,
Chennai-600 001.

.. Appellant/2nd Respondent

Vs.

1. Shahata Begam
2. Anitha Nandakumar

..1st Respondent/Claimant

.. 2nd Respondent/1st Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree passed by the Motor Accident Claims Tribunal, (District Judge) (Special District Court) at Krishnagiri dated 29.01.2020, made in M.C.O.P.No.230 of 2019.

Decree: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the order of the Lower court and the material papers in the case and upon hearing the arguments of Mrs.R.Sree Vidhya, Advocate for the Appellant and of Mr.Mukund S.Pandyan for Ms.K.Prasanna, Advocate for the first Respondent and this court while allowing this appeal and modification of the award of the Tribunal and this Court, doth order and decree as follows:

i) that the compensation awarded passed by the Motor Accident Claims Tribunal, (District Judge) (Special District Court) at Krishnagiri dated 29.01.2020, made in M.C.O.P.No.230 of 2019 be and hereby is reduced to Rs.7,10,000/- (Rs.Seven Lakhs Ten Thousand Only) from Rs.10,95,000/- (Rs.Ten Lakhs Ninety Five Thousand Only) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit.

ii) that the appellant herein/Insurance company be and hereby is directed to deposit the award amount now determined by this Court along with interest and costs, less the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this judgment to the credit of M.C.O.P.No.230 of 2019, on the file of the Motor Accident Claims Tribunal, District Judge, Special District Court at Krishnagiri.



iii)that on such deposit being made, the 1st respondent herein/claimant be and hereby is permitted to withdraw the award amount now determined by this Court, along with interest and costs, less the amount, if any, already withdrawn by making necessary applications before the Tribunal.

iv)that there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Deputy Registrar(Lok)

//True Copy//

Sub Assistant Registrar

To

1. Motor Accident Claims Tribunal
District Judge, Special District Court,
Krishnagiri.
2. The Section Officer,
VR Section, High Court, Madras.

+1cc to Mrs.R.Sree Vidhya, Advocate SR.No. 39710
+1cc to Mr.Mr.Mukund S. Pandyan , Advocate SR.No. 39867

Dated:07.12.2020
DECREE
C.M.A.No.1662 of 2020

Allowing the Civil Miscellaneous Appeal in modification of the award of the Tribunal be and hereby dated 29.01.2020, made in M.C.O.P.No.230 of 2019the Motor Accident Claims Tribunal, (District Judge) (Special District Court) at Krishnagiri etc as stated within.

LN CO
A.SK(14.09.2021)