

C.M.P.No.13829 of 2019
and C.M.A.No.1875 of 2013

V.BHAVANI SUBBAROYAN,J.,

This Civil Miscellaneous Petition is filed by the petitioner to amend the claim of compensation amount from Rs.8,00,000/- to Rs.25,00,000/- in C.M.No.1875 of 2013 filed against the judgment and award dated 18.01.2013 made in M.C.O.P No.2240 of 2009 on the file of the Motor Accident Claims Tribunal, III Small Causes Court, Chennai.

2.Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3.According to the petitioner/claimant, she is entitled to more compensation than what is claimed in the claim petition and than what is awarded by the Tribunal. She has filed C.M.A.No.1875 of 2013 for enhancement of compensation. The petitioner is seeking amendment of claim petition, claiming more compensation. From the materials available on record, it is seen that in the accident, the appellant sustained bilateral acetabular fracture and monteggia fracture at right forearm, Anterior column of left acetabulum Open reduction and internal fixation-plating was done and open

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reduction and internal fixation for ulna fracture was done and closed reduction radial head was done and posterior capsular reinforcement at left hip was done.

4.In view of the same, if the petitioner is entitled more amount than what is claimed in the claim petition, therefore this Court is entitled to allow the amendment petition filed by the petitioner in M.C.O.P.No.2240 of 2009 on the file of MACT (Small Causes Court) Chennai as 25,00,000/- instead of Rs.8,00,000/-.

5.In the result, this Civil Miscellaneous Petition is allowed.

18.02.2020

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Note: Registry is directed to carry out necessary amendment in the cause title.

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