

C.M.P.No.22854 of 2019
and C.M.A.SR.No.115077 of 2019

V.M.VELUMANI,J.

This Civil Miscellaneous Petition is filed by the petitioner to amend the claim of compensation amount from Rs.4,00,000/- to Rs.8,00,000/- in C.M.A.SR.No.115077 of 2019 filed against the judgment and award dated 08.01.2015 made in M.C.O.P.No.988 of 2012 on the file of the Motor Accident Claims Tribunal, III Additional District Court, Tiruvallur, Poonamallee.

2.Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the second respondent/Insurance Company and perused the materials available on record.

3.According to the petitioner/claimant, he is entitled to more compensation than what is claimed in the claim petition and than what is awarded by the Tribunal. They have filed C.M.A.SR.No.115077 of 2019 for enhancement of compensation. Pending numbering of SR, the petitioner is seeking amendment of claim petition, claiming more amount. It is well settled that the Tribunal and Court must award just compensation, which may be more than what is claimed by the claimant.

V.M.VELUMANI, J.,

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4.In view of the same, if the petitioner is entitled more amounts than what is claimed in the claim petition, the Courts have power to award more compensation even without amending the claim petition.

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

23.01.2020

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