

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE FOURTH DAY OF MARCH  
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MR JUSTICE D.KRISHNAKUMAR

CMA No.2511 of 2010

Chellapandi @ Durai ...Appellant/Petitioner

Vs.

1. P.V.Sanmugam

2. The New India Assurance Co. Ltd.,  
No.45, Moore Street, V floor,  
Chennai. ...Respondents/Respondents

Civil Miscellaneous Appeal filed against the Order and Decree of the Motor Accident Claims Tribunal, V Judge, Court of Small Causes, Chennai made in M.C.O.P.No.2729 of 2006 dated 10.03.2010.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day, and upon perusing the Grounds of appeal, the Order and Decree of the Lower Court, and the records in the case and upon hearing the arguments of Mr.R.Kalai Arasan, Advocate for the Appellant and of Mrs.S.R.Sreevidhya, Advocate for the Second respondent and the first respondent not appearing in person or by Advocate, and this Court while partly allowing this Civil Miscellaneous Appeal, doth Order and Decree as follows:

i)That the Order and Decree of the Motor Accident Claims Tribunal, V Judge, Court of Small Causes, Chennai, made in M.C.O.P.No.2729 of 2006, dated 10.03.2010 be and hereby is modified by enhancing the award of compensation from Rs.1,43,000/- (Rupees one lakh forty three thousand only) to Rs.1,76,000/- (Rupees one lakh seventy six thousand only) with interest at the rate of 7.5% p.a. from the date of claim petition till the date of deposit;

ii)That the second respondent/Insurance company be and hereby 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.

iii)That on such deposit being made, the appellant herein/claimant is permitted to withdraw the enhanced award amount along with interests and costs, less the amount if any, already withdrawn, by filing necessary applications before the Tribunal; and

vi)That there be no costs in this Civil Miscellaneous Appeal.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mst

To

1. The V Judge,  
Motor Accident Claims Tribunal,  
Court of Small Causes,  
Chennai.
2. The Section Officer,  
V.R.Section,  
High Court, Madras.

+1cc to Mrs.R.Sreevidhya, Advocate, S.R.No.14258  
+1cc to Mr.N.M.Muthurajan, Advocate, S.R.No.13897

Date : 04.03.2021

DECREE

CMA.No.2511 of 2010

While Partly allowing this Civil Miscellaneous Appeal preferred against the Order and Decree of the Motor Accident Claims Tribunal, V Judge, Court of Small Causes, Chennai made in M.C.O.P.No.2729 of 2006 dated 10.03.2010 etc., as stated within.

PA[co]  
NSK 07/10/2021