



IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

CMA.No.1243 of 2015

Indhirani

...Appellant/Petitioner

Vs.

1.R.Maheswaran @ Matheswaran

2.Kumar

3.The United India Insurance Company Limited,
represented by its Branch Manager,
situated at Sathy Main Road,
Giriram Buildings,
Gobichettipalayam Taluk,
Erode District.

...Respondents/Respondents

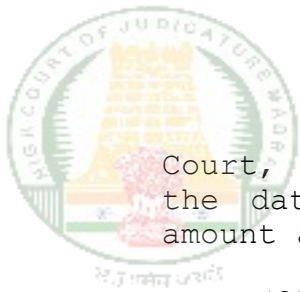
(R 1 and R2 remained ex-parte before Tribunal. Hence notice
may be dispensed with for R1 and R2)

PRAYER: Civil Miscellaneous Appeal has been filed under
Section 173 of the Motor Vehicles Act, 1988, to enhance the
compensation awarded in the Judgment and decree dated
25.09.2014, made in MCOP.No.360 of 2013, on the file of
MACT/Sub Court at Gobichettipalayam, with interest and cost by
allowing this appeal.

Decree : This Civil Miscellaneous Appeal coming on for hearing
on 08.01.2021, upon perusing the grounds of Appeal, the order
of the Lower Court and material papers in this case and upon
hearing the arguments of Mr.Ma.P.Thangavel, Counsel for the
appellant and Mrs.I.Malar, Counsel for the Respondent No.3 and
Respondent No.1 and 2 were already set exparte in the Lower
Court having stood over for consideration till this day this
Court, while allowing the Appeal in part, doth order and
decree as follows:

(1) that the compensation awarded by the Tribunal be and
hereby is modified from Rs.8,63,000/- (Rupees Eight lakhs sixty
three thousand only) to Rs.13,94,200/- (Rupees Thirteen lakhs
ninety four thousand two hundred only;

(2) that the Respondents 1 to 3 be and hereby are
directed to deposit the award amount jointly and severally as
enhanced by this court to the credit of MCOP.No.360 of 2013,
on the file of the Motor Accident Claims Tribunal, Subordinate



Court, Gobichettipalayam, within a period of eight weeks from the date of receipt of a copy of this judgment, less the amount already deposited, if any;

(3) that the award amount will carry interest at the rate of 7.5% per annum from the date of filing of the petition till the date of payment;

(4) that on such deposit, the claim petitioner/appellant herein be and hereby is permitted to withdraw the enhanced compensation amount as awarded by this Court, less the amount already withdrawn, if any.

(5) that there be no costs in the above Civil Miscellaneous Appeal.

Sd/-

Deputy Registrar(Spl Cell CJ Conf)

//True copy//

Sub Assistant Registrar

To

The Motor Accident Claims Tribunal/Sub Court,
Gobichettipalayam.

Copy To

The Section Officer,
VR Section, High Court, Madras-104

+1cc to Mr.Ma.P.Thangavel, Advocate SR.No.23545

DATED : 19/04/2021

DECREE :

CMA.No.1243 of 2015

Allowing the Civil Miscellaneous in part to enhance the compensation awarded in the judgment and decree dated 25.09.2014 made in MCOP No.360 of 2013, on the file of MACT/Sub Court at Gobichettipalayam a stated within.

SSV(CO)
GMY(21/10/2021)