



IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.1670 of 2020

K.Babu ... Appellant/Claimant/ Petitioner

Vs

1.N.Gopalakrishnan

2.United India Insurance Co Ltd.,

1 & 2, 26A, Fagun Chambers, Ethiraj Salai,
Egmore,

Chennai - 600 008.

.. Respondents/ Respondents

PRAYER:Civil Miscellaneous Appeal against the judgment and decree of the Motor Accident Claims Tribunal (Special Sub Court No.1, Motor Accidents Claims Petitions) Small Causes Court, Chennai dated 07.09.2018 in MCOP.No.6823 of 2013.

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 Mr.K.Prasanna,Advocate for the Appellants and of Mr.S.Arun Kumar, Advocate for the Second Respondent and the first Respondent Not appearing either in person or by an Advocate this court while allowing this Civil Miscellaneous Appeal in part by modifying the award of the Tribunal,doth order and decree as follows:

i)that the total compensation amount awarded by the Motor Accident Claims Tribunal (Special Sub Court No.1, Motor Accidents Claims Petitions) Small Causes Court, Chennai dated 07.09.2018 in MCOP.No.6823 of 2013 be and hereby is enhanced from Rs.1,96,800/-(Rs.One Lakh Ninety Six Thousand Eight Hundred Only) to Rs.3,23,000/-(Rs.Three Lakhs Twenty Three Thousand Only).

ii)that the Second respondent/Insurance Company be and hereby is directed to deposit the enhanced award amount together with interest from the date of claim till the date of deposit and costs, after deducting the amount already deposited if any to the credit of MCOP.No.6823 of 2013 within a period of four weeks from the date of receipt of a copy of this Judgment.



iii)that on such deposit being made, the Tribunal shall transfer the amount lying to the credit of MCOP.No.6823 of 2013 to the bank account of the Appellant/Petitioner/claimant through RTGS within a period of one week thereafter.

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

Sd/-

Assistant Registrar(TNMCC)

//True Copy//

Sub Assistant Registrar

To

1.The Special Sub Court No.1, Motor Accidents Claims Petitions,
Small Causes Court, Chennai.

Copy to:

The Section Officer,
VR Section,
High Court, Madras

+1 cc to M/S.Pass Associates, Advocate Sr.NO.47931

+1 cc to Mr.K.Prasanna, Advocate Sr.NO.47402

+1 cc to Mr.S.Arun Kumar ., Advocate Sr.NO. 47787

DATED:17/09/2021

DECREE

C.M.A.No.1670 of 2020

Allowing the appeal in part preferred and modification of the decree of the Motor Accident Claims Tribunal (Special Sub Court No.1, Motor Accidents Claims Petitions) Small Causes Court, Chennai dated 07.09.2018 in MCOP.No.6823 of 2013 etc as stated within.

SSI (CO)

A.SK(21.10.2021)