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IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE TWENTY THIRD DAY OF APRIL

TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

C.M.A.No.1313 of 2015

1.Kulanthaiammal

2.Sneha

3.Minor.Dinesh,
minor represented by Guardian/NF/
Mother Kulanthaiammal

4.Poongavanam

5.Veeran Chetty

...Appellants/Petitioners

Vs.

1.The Superintending Engineer,
General Construction Circle,
TNEB, Salem District.

2.The United India Insurance Company Limited,
No.137-D, Avery Building Cherry Road,
Salem District.

...Respondents/Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988 against the award and Decree dated 29.04.2014 made in M.C.O.P.No.1344/2013 on the file of the Motor Accident Claims Tribunal, Additional District Court, Namakkal.

DECREE: This Civil Miscellaneous Appeal coming on Friday, the Nineteenth day of February 2021 upon perusing the grounds of appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mr.Ma.P.Thangavel, Advocate for the appellants and of Mr.Viswanathan, Advocate for the 1st Respondent and M/s.I. Malar, Advocate for the 2nd Respondent the appellant having paid the Additional Court fee in respect of the enhanced award amount vide SR. No. 18314 dated 08/07/2021 and this Case having stood over for consideration till this day and this Court while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, doth order and Decree as follows:



1. That the award of the Tribunal be and hereby is enhanced to ***22,69,500/- (Rupees Twenty Two Lakhs Sixty Nine Thousand Five Hundred Only)**. from Rs. 14,65,000/- (Tribunal award) together with interest and costs.

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2. That the Second Respondent herein/Insurance Company be and hereby is directed to deposit the enhanced compensation amount as awarded by this Court to the credit of M.C.O.P.No.1344/2013 on the file of the Motor Accident Claims Tribunal, the Additional District Court, Namakkal 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 enhanced award amount shall 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 appellants herein/claimants shall be permitted to withdraw the enhanced award amount as apportioned by the Tribunal less the amount already withdrawn, if any.

5. That there be no costs in this Civil Miscellaneous Appeal.

s/d-

Assistant Registrar (CS-VIII)

DATED: 28.02.2022

***Amended as per order of
this Court dated 03.02.2022
and made in C.M.A.No.1313 of 2015**

-s/d-

Assistant Registrar (CSVIII)

dt 19.07.2021

//True Copy//

Sub Assistant Registrar

dua

To

1. The Motor Accident Claims Tribunal,
The Additional District Court,
Namakkal.

2. The Section Officer
VR Section
High Court, Madras 104.

to be substituted the order
already despatched on **27.09.2021**



+1 CC to Mr.T. Ravi Chandran, Advocate sr 25384.

+1 cc to Mr.Ma.P.Thangavel , Advocate Sr.NO. 7615

C.M.A.No.1313 of 2015

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Dated: 23.04.2021

DECREE;

C.M.A.No.1313 of 2015

Partly allowing the Civil Miscellaneous Appeal preferred against the Judgment and Decree dated 29.04.2014 made in M.C.O.P.No.1344/2013 on the file of the Motor Accident Claims Tribunal, Additional District Court, Namakkal etc as stated within

KK(CO)
SP(08/09/2021)
A.SK(28.02.2022)