



IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

C.M.A.No.3281 of 2012

S.Venkatesan

... Appellant/ Petitioner

Versus

1. N.Ananda Selva Kingly
2. The New India Assurance Co. Ltd.,
No.46, Moore Street, Chennai - 1.
(The 1st respondent exparte in
lower Court)

... Respondents/ Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, against the order and decree dated 17.07.2008 made in M.C.O.P.No.2217 of 2004 on the file of the Motor Accident Claims Tribunal, II Fast Track Court, Chennai.

Decree: This 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.Varadha Kamaraj, Advocate for the Appellant and of Mr.K.Vinoth, Advocate for the second Respondent and the first Respondent having remained set exparte in Lower Court Appellant/ Petitioner having been paid the Additional Court Fees in respect of the enhanced award amount while filing of this Civil Miscellaneous Appeal itself and this court while partly allowing this Civil Miscellaneous Appeal doth order and decree as follows:

i) that the award of compensation passed by the Tribunal is enhanced from Rs.4,52,000/- (Rs.Four Lakhs Fifty Two Thousand Only) to Rs.6,98,600/- (Rs.Six Lakhs Ninety Eight Thousand Six Hundred Only) together with interest at the rate of 7.5% per annum from the date of the claim petition till the date of deposit.

ii) that the respondent herein/New India Assurance Co be and hereby is directed to deposit the award amount, less the amount, if any, already deposited, along with accrued interest within a period of six weeks from the date of receipt of copy of this Judgment.



iii)that on such deposit being made, the Appellant herein/Claimant be and hereby is permitted to withdraw the amount awarded as above by filing proper application before the Tribunal.

iv)that the appellant herein/claimant shall not entitled to any interest for the condoned delay (default) period, if any.

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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Motor Accident Claims Tribunal,
II Fast Track Judge,
Chennai

Copy to:

The Section Officer,
V.R.Section,
Madras High Court,
Chennai.

+2ccs to Mr.V.Mohan Choudary , Advocate SR.No. 25822
+1cc to Mr.K.Vinod, Advocate SR.No. 26047

Dated:27/04/2021
DECREE
C.M.A.No.3281 of 2012

Partly allowing this Civil Miscellaneous Appeal preferred against the Judgment and decree dated 17.07.2008 made in M.C.O.P.No.2217 of 2004 on the file of the Motor Accident Claims Tribunal, II Fast Track Court, Chennai etc as stated within.

VSN II (CO)
A.SK(15.09.2021)



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