IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE NINTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.44 of 2015

P. Vidya ...Appellant/Petitioner

Vs.

1.K.Yuvarajan

2.The Divisional Manager,
The Oriental Insurance Co. Ltd.,
No.139, 2nd Floor,
S.V. Complex, Eswaran Koil Street,
Pondicherry. ..Respondents/Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award and Decree dated 23.06.2010 made in M.C.O.P.No.1508/2005 on the file of the Motor Accident Claims Tribunal, Additional Subordinate Court, Pondicherry.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day, 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.D.Ravichander, advocate for the Appellant and of Mr.N.Sampath, advocate for the 2nd Respondent and the 1st Respondent having been served, not appeared either in person or through Advocate, and this Court while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, dtoh order and Decree as follows:

1. That the compensation awarded by the Tribunal be and hereby is enhanced to Rs. 2,57,000/- (Rupees Two Lakhs Fifty Seven Thousand only) from Rs. 2,19,000/- (Rupees Two Lakh Nineteen Thousand only) together with interest at the rate of 7.5% per annum from the date of Petition till the date of deposit.

2. that the Respondents herein/RR1 & 2 be and hereby are jointly and Severally directed to deposit the award amount now determined by this Court, along with interest and costs, within a period of six weeks from the date of receipt of a copy of this Judgment to the credit of M.C.O.P.No.1508/2005.

3. That on such deposit being made the Appellant herein/Claimant be and hereby is permitted to withdraw the award amount, now determined by this Court, along with interest and costs, after adjusting the amount if any, already withdrawn by filing necessary application before the Tribunal.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gsa

To

1.The Additional Subordinate Judge,
(Motor Accident Claims Tribunal), Pondicherry.

Copy to

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

Dated: 09.12.2021

DECREE:

C.M.A.No.44 of 2015

Allowing the Civil Miscellaneous Appeal in part preferred against the Judgment and Decree dated 23.06.2010 made in M.C.O.P.No.1508/2005 on the file of the Motor Accident Claims Tribunal, Additional Subordinate Judge, Pondicherry etc as stated therein

KV(CO)
SP(19/01/2022)