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IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.NO.829 OF 2021

B.Panneerselvam

.. Appellant/Petitioner

Vs.

1. K.Velu

2. The Divisional Managerr,
National Insurance Company Limited,
No.225, Gandhi Street,
Kandhipuram.

.. Respondents/Respondents

(No relied sought against 1st respondent.
Hence, notice to R1 dispense with)

Prayer: Appeal against the Order of the Motor Accident Claims Tribunal, Principal Sub Court, Kanchipuram dated 22.10.2019 and made in M.C.O.P.No.383 of 2012.

Decree: This Appeal coming on for hearing on this day, upon perusing the Grounds of Appeal, the order of the Lower Court and the material Records in this case and upon hearing the arguments of Mr.M.Sivakumar for Mr.C.Prabakaran, Advocate for the Appellant and of Mr.D.Bhaskaran, Advocate for the second Respondent and first having remained exparte before the tribunal this court while allowing the Civil Miscellaneous Appeal in part and in modification of the award of the Tribunal, doth order and decree as follows:-



i) that the award amount of compensation be and hereby is enhanced from Rs.80,200/- (Rupees Eighty Thousand and Two hundred only) to Rs.1,62,500/- (Rupees One Lakh Sixty Two Thousand and Five hundred only) together with interest at the rate of 7.5% per annum from the date of petition till the date of deposit;

ii) that the 2nd respondent herein/Insurance Company is be and hereby directed to deposit the award amount now determined by this Court along with interest and costs, less the amount already deposited, if any, within a period of six(6) weeks from the date of receipt of a copy of this judgment at the first instance and recover the same from the 1st respondent;

iii) that on such deposit being made, the Appellant/the Claimant is permitted to withdraw the award amount now determined by this Court, along with interest and costs, less the amount if any, already withdrawn by making necessary applications before the Tribunal;

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

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

krk

To

The Motor Accidents Claims Tribunal,
The Principal Subordinate Judge,
Kanchipuram.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.18707



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DATED : 23/03/2021

DECREE :

C.M.A.No.829 of 2021

Allowing the Civil Miscellaneous Appeal in part is preferred against the Judgment and decree dated 22.10.2019 and made in M.C.O.P.No.383 of 2012 on the file of the Motor Accident Claims Tribunal, Principal Sub Court, Kanchipuram, etc., as stated within.

VBM(CO)
RLP(16/11/2021)