



IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.1072 of 2021

1.G.Sathiya
2.A.Sasikala

.. Appellants/Petitioners

Vs.

1.D.Subbarayalu

2.The Manager,
United India Insurance Company Limited,
Third Party Service Hub,
Plot No.35,36,37 A.R.Plaza,
45 feet road, Balaji Nagar Extension,
Saram, Puducherry - 605 011. .. Respondents/Respondents

Prayer: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 16.10.2020 made in M.C.O.P. No.82 of 2019, on the file of the Motor Accidents Claims Tribunal, I Additional District and Sessions Court, Cuddalore.

Decree : This Appeal coming on as to admission on this day and upon perusing the grounds of appeal and the award of the tribunal below and the material papers in this case and upon hearing the arguments of Mrs.Ramya V.Rao for M/s.A.N.ViswanathaRao, Advocate for appellants and of Mr.D.Bhaskaran, Advocate for the 2nd Respondent and this Court while allowing this appeal in part and in modification of the tribunal below doth order and decree as follows:

i) that the compensation amount awarded by the tribunal be and hereby is enhanced from Rs.6,83,636/-(Rupees Six lakhs eighty three thousand six hundred and thirty six only) to Rs.11,78,800/-(Rupees Eleven lakhs seventy eight thousand eight hundred only) together with interest at the rate of 75% per annum from the date of petition till the date of deposit.

ii) that the 2nd Respondent/Insurance Company be and hereby is directed to deposit the award amount of Rs.11,78,800/- along with interest and costs, within a period of six weeks from the



date of receipt of a copy of this order to the credit of M.C.O.P. No.82 of 2019.

iii) that on such deposit, that the appellants/claimants be and hereby are permitted to withdraw their share of the award amount of Rs.11,78,800/- along with proportionate interest and costs, on the basis of apportionment fixed by the Tribunal, after adjusting the amount, if any already withdrawn, by filing necessary applications before the Tribunal.

iv) that there be no costs in this appeal.

Sd/-

Deputy Registrar (Admn III)

//True copy//

Sub Assistant Registrar

To

1.The I Additional District and Sessions Judge,
(Motor Accidents Claims Tribunal),
Cuddalore.

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

+2ccs to M/s.A.N.ViswanathaRao, Advocate SR.No.20642

DATED : 29/03/2021

DECREE :

C.M.A.No.1072 of 2021

Allowing the appeal in part preferred against the judgment and decree dated 16.10.2020 made in M.C.O.P. No.82 of 2019, on the file of the Motor Accidents Claims Tribunal, I Additional District and Sessions Court, Cuddalore etc., as stated therein.

GP (CO)
GMY (28/10/2021)