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IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY THE TWENTIETH DAY OF JANUARY  
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.2482 of 2019

Minor Ramesh  
rep. by next friend, guardian and grand father,  
Ramakrishnan .. Appellant/ Petitioner

Vs.

1.Joint Director of Medical and Rural Health Services,  
O/o. Joint Director of Medical and Rural Health Services,  
Perambalur Post, Taluk & District 621 212.

2.Joint Director of Medical and Rural Health Services,  
O/o. Joint Director of Medical and Rural Health Services,  
Kancheepuram, Tamil Nadu 631 502.

3.M/s.The Oriental Insurance Company Ltd.,  
Divisional Office - I,  
Rep. By its Divisional Manager,  
Oriental House, 1<sup>st</sup> floor,  
No.216/115, Prakasam Salai,  
Broadway,  
Chennai 1. .. Respondents/ Respondents  
( Respondents 1 and 2 remained Ex-parte before  
the Tribunal,Hence Notice may be dispensed with)

Prayer:Civil Miscellaneous Appeal against the order of the  
Motor Accident Claims Tribunal,Chief Judicial Magistrate,  
Perambalur dated 07.01.2019, made in M.C.O.P. No.625 of 2016.

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.S.Kamadevan,Advocate for the Appellant and of  
Mr.M.Krishnamoorthy,Advocate for the Third Respondent and  
Respondents 1 and 2 having remained exparte before the Tribunal  
this court while allowing this Civil Miscellaneous Appeal in



part doth and in modification of the decree of the lower Court ,  
this Court doth order and decree as follows:

i)that the compensation awarded by the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Perambalur dated 07.01.2019, made in M.C.O.P. No.625 of 2016 be and hereby modified by enhancing the award of compensation from Rs.1,20,000/- (Rs.One Lakh Twenty Thousand only) to Rs.3,20,000/- (Rs.Three Lakhs Twetny Thousand 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 3<sup>rd</sup> respondent herein/Insurance Company be and hereby is 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.625 of 2016.

iii)that on such deposit being made, the award amount is directed to be deposited in any one of the Nationalized Bank, till the minor appellant attains majority.

iv)that the grand father of the minor appellant/Minor Claimant be and hereby is permitted to withdraw the accrued interest, once in three months for the welfare of the minor appellant.

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

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Chief Judicial Magistrate,  
(Motor Accident Claims Tribunal),  
Perambalur.

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

+1cc to Mr.S.Kamadevan, Advocate SR.No. 2819

+1cc to Mr.M.Krishnamoorthy, Advocate SR.No. 3100



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Dated:20.01.2021

DECREE

C.M.A.No.2482 of 2019

Allowing the Metropolitan Magistrate in part is preferred against the award and decree of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Perambalur dated 07.01.2019, made in M.C.O.P. No.625 of 2016 etc as stated within.

VBA CO

A.SK(31.08.2021)