



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.1404 of 2020

1.Selvi
2.Rajavel ... Appellants/ Petitioners

Vs.

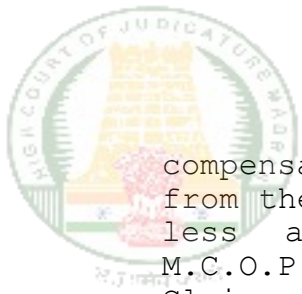
1.Palanisamy
(1st Respondent set ex-parte
before the Tribunal)
2.National Insurance Company Limited,
2nd Floor, 81-D, Chetty Street,
Opp: Bus Stand, Tiruchengode Taluk,
Namakkal District. ... Respondents/ Respondents

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the order and decree dated 10.09.2019 made in M.A.C.T.O.P.No.126 of 2015, on the file of the Motor Accidents Claims Tribunal (Subordinate Judge), Tiruchengode.

Decree:This Civil Miscellaneous 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.T.S.Arthanareeswaran,Advocate for the Appellants and of Mr.Mr.D.Bhaskaran, Advocate for the Second respondent wherein the 1st Respondent having set exparte in lower Court itself and the Appellant having been paid the Additional court fees in respect of the modified award amount while filing of this Civil Miscellaneous Appeal itself and this Court while allowing this Civil Miscellaneous Appeal in part and in modification of the award of the Tribunal,doth order and decree as follows:

i)that the award of the Tribunal be and hereby is enhanced to Rs.10,27,000/-(Rs. Ten Lakhs Twenty Seven Thousand Only) from Rs.9,37,200/- together with interest at 7.5 % from the date of claim petition till the date of such deposit.

ii)that the 2nd respondent herein/Insurance company be and hereby is directed to deposit the enhanced amount of



compensation of Rs.10,27,000/- together with interest at 7.5% from the date of claim petition till the date of such deposit, less any amount already deposited, to the credit of M.C.O.P.No.126 of 2015 on the file of the Motor Accident Claims Tribunal (Subordinate Court), Tiruchengode, within a period of six weeks from the date of receipt of a copy of this Judgment.

iii)that on such deposit being made, the appellants herein/claimants be and hereby are permitted to withdraw their respective shares in the same proportion fixed by the Tribunal, less any amount already withdrawn, by filing suitable applications before the Tribunal; and

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

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

To:

1.The Motor Accidents Claims Tribunal,
Subordinate Judge,
Tiruchengode.

Copy to:

The Section Officer,
VR Section,
High Court, Madras

DATED:26.04.2021

DECREE

C.M.A.No.1404 of 2020

Allowing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 10.09.2019 made in M.A.C.T.O.P.No.126 of 2015, on the file of the Motor Accidents Claims Tribunal (Subordinate Judge), Tiruchengode etc as stated within.

A.SK(23.11.2021)