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IN THE HIGH COURT OF JUDICATURE AT MADRAS  
THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER  
TWO THOUSAND TWENTY ONE

PRESENT

THE HON`BLE MR JUSTICE ABDUL QUDDHOSE

CMA No.2337 of 2021

1 M.LALITHA

2 MOHANDOSS

... PETITIONERS/PETITIONERS

Vs

1 RANJITH WATER SUPPLIERS  
NO.10, 2ND CROSS ST, KUDAPPAKKAM,  
THIRUVALLUR DIST - 600 077

2 NEW INDIA ASSURANCE CO LTD,  
MOTOR THIRD PARTY CLAIM OFFICE, NO.232,  
BOMBAY BUILDING, CHENNAI - 600 001

... RESPONDENTS/ RESPONDENTS

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988 against the award and Decree dated 10/11/2020 made in M.C.O.P. No.4105 of 2016 on the file of Motor Accidents Claims Tribunal/ (Special Sub Judge I, Full Additional Incharge of II Court of Small Causes, Chennai.

Decree:-

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.R.NALLIYAPPAN, Advocate for the Appellant and Mr.K.Vinod, Advocate for the 2<sup>nd</sup> Respondent, / wherein the 1<sup>st</sup> Respondent having set exparte in lower Court itself/ wherein the Appellant/ Petitioner having been paid the Additional Court fees in respect of the enhanced award amount while filing of this Civil Miscellaneous appeal itself/ Court, this while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, doth order and decree as follows;-



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1. That the award of the Tribunal be and hereby is enhanced to Rs.21,36,337/- (Rupees Twenty one lakhs thirty Six thousand three hundred and third seven only) from Rs 17,28,350/- (Rupees Seventeen lakhs twenty eight thousand three hundred and fifty only) award) together with interest and costs;

2. that the compensation amount shall carry interest @7.5% per annum from the date of claim petition till the date of deposit;

3. that the 2<sup>nd</sup> Respondent herein / Insurance Company/ be and hereby is directed to deposit the enhanced award amount now determined by this Court along with interest and costs, less the amount already deposited if any, within a period of four weeks from the date of receipt of a copy of this Judgment, to the credit of M.C.O.P. 4105 of 2016.

4. that on such deposit being made, the appellants herein claimants are be & herein permitted to withdraw the enhanced award amount along with interest and costs, less the amount if any, already withdrawn by making necessary application before the Tribunal;

5. that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

KK

TO

1 The Motor Accidents Claims Tribunal/  
(Special Sub Judge -I,  
Full Additional Incharge of  
II Court of Small Causes,  
Chennai

2. Copy To

The Section Officer,  
VR Section,  
High Court, Madras-104.



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CMA.2337/2021

Date:28/10/2021

NATURE OF DECREE:

Party allowing the Civil Miscellaneous Appeal preferred against the judgment and Decree dated 10/11/2020 made in M.C.O.P. No.4105 of 2016 on the file of Motor Accidents Claims Tribunal/ (Special Sub Judge II, Full Additional Incharge of II Court of Small Causes, Chennai, etc. as stated therein.

CA (CO)  
CT 18/05/2022