



IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE TWEENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

C.M.A.No.225 of 2014

P.Bharath

... Appellant/Petitioner

Vs.

1. M.N.Karmegam

2. The United India Insurance Co. Ltd.,
Regional Office, Legal Department,
Silingi Buildings, New No.134,
Old No.40-42, Greams Road, Chennai - 6.

... Respondents/Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award and decree dated 28.03.2012 made in M.C.O.P.No.794 of 2009 on the file of the Motor Accidents Claims Tribunal, Additional District Judge, Fast Track Court - II, Chennai.

Decree : This Civil Miscellaneous Appeal coming on for hearing as to admission 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.K.Suryanarayanan, Advocate for the Appellant and of Ms.R.Srividhya, Advocate for 2nd Respondent this Civil Miscellaneous Appeal No.225/14 coming on Wednesday 24th day of March 2021 and having stood over for consideration till this day, this Court while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, doth order and decree as follows:

1) that the award of the Tribunal be and hereby is enhanced to Rs.3,35,000/- (Rupees Three lakhs thirty five thousand only) from Rs.1,25,000/- (Rupees One lakh twenty five thousand only) (Tribunal award) together with interest and costs; through RTGS or NEFT method as held by this Court in (The Oriental Insurance Company Limited, Kannur Vs. Rajesh and two others) 2016 (1) TN MAC 433;

2) that the compensation amount shall carry interest @ 7.5% per annum per from the date of the claim till the date of deposit along with costs;



3) that the Second Respondent/Insurance Company be and hereby is directed to deposit the enhanced award amount now determined by this Court along with interest and costs, jointly and severally, less the amount already deposited if any, within a period of eight(8) weeks from the date of receipt of a copy of this judgment to the credit of MCOP No.794 of 2009.

4) that on such deposit being made, the appellant-claimant be and hereby is entitled to withdraw the award amount with accrued interest.

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

Sd/-
Deputy Registrar(Admn II)

//True copy//

Sub Assistant Registrar

To

The Motor Accidents Claims Tribunal,
Fast Track Court - II, Chennai.

Copy To

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

+1cc to Mr.K.Suryanarayanan, Advocate SR.No.25850

+1cc to Mr.R.Ravichandran, Advocate SR.No.25848

DATED : 27/04/2021

DECREE :

C.M.A.No.225 of 2014

Partly allowing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 28.03.2012 made in M.C.O.P.No.794 of 2009 on the file of the Motor Accidents Claims Tribunal, Additional District Judge, Fast Track Court - II, Chennai, etc., as stated therein.

MG (CO)

<https://hcservices.ecourts.gov.in/hcservices/>

GMI (16/11/2021)