

IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE NINETH DAY OF JULY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.M.A. No.3094 of 2014

1. D.David Ravi @ Ravi ...Appellant/Claimants

Versus

1. N.Murugan
2. National Insurance Company Limited,
Vijay Plaza Building II Floor,
C-32 Second Avenue,
Anna Nagar, Chennai 600 040. ...Respondents/Respondents

PRAYER: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree made in MCOP.No.3059 of 2008, dated 13.11.2013 on the file of Motor Accident Claims Tribunal, I Special Judge, Small Causes Court, Chennai.

Decree: This Appeal comign on for hearing on this day and upon perusing the Grounds of Appeal, the Order and Decree of the Lower Court, and the records in the case and upon hearing the arguments of Mr.T.G.Balachandran, Advocate for the Appellant and of M/s.N.B.Surekha, Advocate for the Second Respondent, wherein R1 having set exparte in lower Court itself, this Court while allowing this appeal in part, doth Order and decree as follows:

- 1.that the award passed by the Tribunal be and hereby is enhanced to Rs.1,45,000/- (Rupees One lakhs forty five thousand only) from Rs.91,500/- (Rupees Ninety one thousand and five hundred only)
- 2.that the compensation amount shall carry interest @ 7.5% from the date of claim petition till the date of payment.
- 3.That the Second Respondent herein/Insurance Company be and hereby is directed to deposit the total compensation awarded by this Court before the Tribunal, after adjusting the amount if any already deposited, within a period of six weeks from the receipt of copy of this judgment.
- 4.That on such deposit being made, the claimant be and hereby is

permitted to withdraw the entire amount.
5.That there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Deputy Registrar (CLAA)

//True Copy//

To Sub Assistant Registrar

1.The Motor Accident Claims Tribunal,
The I Special Sub Judge,
Small Causes Court, Chennai.

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

+1cc to M/s.N.B.Surekha, Advocate, S.R.No.32276

+1cc to Mr.T.G.Balachandran, Advocate, S.R.No.32506 [12/05/2022]

Order Dated:09/07/2021

C.M.A. No.3094 of 2014

DECREE: Partly Allowing the Appeal in part, this Civil Miscellaneous Appeal against the Motor Accident Claims Tribunal and Judgment and Decree, made in MACTOP.No.3059 of 2008 dated 13.11.2013, on the file of the Motor Accident Claims Tribunal, I Special Judge, Small Causes Court, Chennai, etc., as stated as within.

JP-II (CO)
CB(18/11/2021)