



IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

WEB COPY

PRESENT:-

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

C.M.A.NO.890 OF 2014

Kavisri (minor)
(Represented by her father and
next friend Neelakandan)

.. Appellant/Petitioner

..Vs..

1. Jaiganesh
2. Ammaiyyar Government Aided High School,
Rep. by its Secretary,
East Elaikkara Street,
Karaikal Town & District Munsif.
3. Shriram General Insurance Co.Ltd.,
Rep.by its Managing Director,
No.E-8-EPIP, RIICO, Sitapura, Jaipur,
Rajasthan - 302 022.

.. Respondents/Respondents

Prayer:

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the award and decree dated 02.01.2014 made in M.C.O.P.No.46 of 2013 on the file of Motor Accident Claims Tribunal, District Judge, Karaikal.

DECREE:-

This Civil Miscellaneous Appeal coming on for hearing on Friday, the Twenty Sixth day of February, Two Thousand Twenty One and 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.Sai Krishnan for M/s.Sai Bharath & Ilan, Advocate for the Appellant and of Mr.S.Dhakshnamoorthy, Advocate for the Third Respondent and first and second respondents remained exparte before the Tribunal and this matter having stood over for consideration till this day, the Appellant has already paid the necessary Court fee for the enhanced compensation, while filing the appeal itself, this Court while



allowing the Civil Miscellaneous Appeal in part, doth order and decree as follows:-

1. That the Compensation award by the Tribunal at Rs.77,000/- (Rupees Seventy Seven Thousand Only) be and hereby is enhanced to Rs.1,29,000/- (Rupees One Lakh and Twenty Nine Thousand Only) together with interest at the rate of 7.5% per annum from the date of petition till the date of deposit;

2. That the 3rd 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, within a period of six weeks from the date of receipt of a copy of this judgment;

3. That the award amount shall be deposited in any of the Nationalized Bank, till the minor appellant/minor claimant attains majority;

4. That the father of the minor appellant be and hereby is permitted to withdraw the accrued interest, once in three months for the welfare of the minor; and

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

Sd/-
Deputy Registrar (TNMCC)

//True Copy//

Sub Assistant Registrar

gbi

To

1. The District Judge,
Motor Accident Claims Tribunal,
Karaikal.

+1cc to Mr.S.Dhakshnamoorthy, Advocate, S.R.No.19742



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Order Dated :- 25.03.2021

DECREE:-

C.M.A.No.890 of 2014

Allowing the Civil Miscellaneous Appeal in part preferred against the award and decree dated 02.01.2014 made in M.C.O.P.No.46 of 2013 on the file of the Motor Accidents Claims Tribunal, District Judge, Karaikal, etc., as stated therein.

CP (CO)
CS/26/10/2021