

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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

PRESENT

THE HONOURABLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

C.M.A.No.950 of 2014

R.Sivaraman
S/o.Ramakrishnan ..Appellant/Petitioner

Vs.

- 1.K.Palanisamy
S/o.K.P.Kaliappan
- 2.The Oriental Insurance Company Limited,
No.281, Cross Cut Road,
Gandhipuram,
Coimbatore-641 012. ..Respondents/Respondents

Prayer: Civil Miscellaneous Appeal filed against the Order and Decree of the Motor Accident Claims Tribunal, Subordinate Court, Sankari, made in MCOP.No.303 of 2010, dated 03.08.2013.

Decree: This Civil Miscellaneous Appeal coming on for hearing on Friday, the Twelfth day of March, 2021, 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 argument of Mr.C.Kulanthaivel, Advocate for the Appellant, and of Mr.Elveera Ravindran, Advocate for the Second Respondent and the first respondent remained ex parte before the Tribunal, and the Appellant/Claimant has already paid the necessary court fee for the enhanced amount of the time of filing this Appeal, itself, and this matter stood over for consideration till this day, and this Court while partly allowing this Civil Miscellaneous Appeal, doth Order and Decree as follows:

- 1.that the appellant herein/Claimant be and hereby is entitled to receive a sum of Rs.2,89,000/- (Rupees Two lakhs Eighty nine thousand only) with accrued interest at the rate of 7.5% p.a from the date of the claim petition till the date of deposit as compensation instead of Rs.2,23,000/- as awarded by the Tribunal below.
- 2.That the 2nd respondent herein/Insurance Co. be and hereby is directed to deposit the enhanced award amount along with interest and costs through RTGS or NEFT

method, after adjusting the amount, already deposited within a period of eight weeks from the date of receipt of a copy of this order;

3.that on such deposit being made, the appellant herien/claimant be and hereby is entitled to withdraw the enhanced award amount with accrued interest; and

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

Sd/-
Deputy Registrar(TNMCC)

//True Copy//

Sub Assistant Registrar

To

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

Copy to:
The Section Officer,
V.R.Section,
High Court of Madras.

+1cc to Mr.C.Kulanthaivel, Advocate, S.R.No.26084

Order Dated:27/04/2021
C.M.A.No.950 of 2014
Nature of the DECREE: Partly
allowing this Appeal
preferred against the
judgment and decree dated
03.08.2013 and made in
MCOP.No.303 of 2010 on the
file of the Motor Accident
Claims Tribunal(Sub Court)
Sankari, etc., as stated
within.

PA(CO)
CB(28/10/2021)