



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.1978 of 2020

Vinoth Kumar

.. Appellant/ Petitioner

Vs.

1.K.Ramu

2.United India Insurance Co. Ltd.

Motor Third Party Claims

No.134, Greams Road, Sillingi Buildings

Chennai-600 006.

.. Respondents/ Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 19.12.2019 made in M.C.O.P.No.4153 of 2015 on the file of Motor Accident Claims Tribunal, (Special Sub Court No.I dealing with MCOP cases), Small Causes Court, Chennai.

Decree:This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal , the order of the Lower court and the material papers in the case and upon hearing the arguments of MR.K.Varadhakamaraj,Advocate for the Appellant and of Mr.M.J.Vijayaraaghavan, Advocate for the Second Respondent wherein the first Respondent having been set exparte before the Tribunal and the Appellant having been paid the Additional Court fees at the time of admission, this Court while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, doth order and decree as follows:

i)that the award of the Tribunal be and hereby is enhanced to Rs.1,46,250/-(Rs.One Lakh Forty Six Thousand Two Hundred and Fifty Only) from Rs.98,250/-(Rs.Ninety Eight Thousand Two Hundred and Fifty Only).

ii)that the Compensation amount shall carry interest at the rate of 7.5% per annum from the date of petition till the date of deposit.



iii)that the 2nd respondent herein/Insurance Company be and hereby is directed to deposit the award amount now determined by this Court along with interest and costs, less the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this judgment, to the credit of MCOP.NO.4153 of 2015.

iv)that on such deposit being made, the appellant herein/Claimant shall be permitted to withdraw the award amount now determined by this Court along with interest and costs, less the amount if any, already withdrawn.

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

-s/d-

Assistant Registrar(CS)

True Copy

Sub-Assistant Registrar

To

1.The Special Subordinate Judge - I
(dealing with MCOP cases)
Motor Accident Claims Tribunal
Small Causes Court, Chennai.

Copy to
The Section Officer
V.R.Section
High Court, Chennai.

Dated:20.01.2021

DECREE

C.M.A.No.1978 of 2020

Partly allowing the Civil Miscellaneous Appeal preferred against the Judgment and decree dated 19.12.2019 made in M.C.O.P.No.4153 of 2015 on the file of Motor Accident Claims Tribunal, (Special Sub Court No.I dealing with MCOP cases), Small Causes Court, Chennai etc as stated within.

CA(CO)
A.SK(07.09.2021)