



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY THE TWENTY SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.No.1981 of 2020

T.M.Gokulkumar .. Appellant/ Petitioners
Vs.

1.Selvam

2.Raja

3.The United India Insurance Co. Ltd.,
Arjuna Tower, No.248/164, Cherry Road,
Salem 636 001. .. Respondents/ Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 03.03.2020, made in M.C.O.P. No.1376 of 2018, on the file of the Special Sub Court No.I, (Motor Accident Claims Tribunal), Salem.

Decree: This Civil Miscellaneous Appeal coming on for admission 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.T.S.Arthanareeswaran for M/s.C.Paraneedharan, Advocate for the Appellant and of M/s. I.Malar, Advocate for the third Respondent and this court while allowing this Civil Miscellaneous Appeal in part by modifying doth order and decree as follows:

i) that the award of the Tribunal be and hereby is enhanced to Rs.7,02,061/- (Rs.Seven Lakhs Two Thousand Sixty One Only) from Rs.5,85,061/- (Rs.Five Lakhs Eighty Five Thousand Sixty One Only) (Tribunal award) together with interest and costs;

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



iii)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, within a period of six weeks from the date of receipt of a copy of this judgment, to the credit of M.C.O.P. No.1376 of 2018 on the file of the Motor Accident Claims Tribunal, Special District Court I, Salem and thereafter recover the same from the 2nd respondent.

iv)that on such deposit being made, the appellant herein/Claimant shall be permitted to withdraw the enhanced award amount, along with interest and costs, less the amount if any, already withdrawn, by filing necessary applications before the Tribunal.

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

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

To

1.The Special Subordinate Judge - I,
(Motor Accident Claims Tribunal),
Salem.

+2ccs to Mr.T.S.Arthanareeswaran, Advocate SR.No. 4243

Dated:22.01.2021

DECREE

C.M.A.No.1981 of 2020

Partly allowing the Civil Miscellaneous Appeal preferred against the Judgment and decree dated 03.03.2020, made in M.C.O.P. No.1376 of 2018, on the file of the Special Sub Court No.I, (Motor Accident Claims Tribunal) Salem etc as stated within.

KV(CO)

A.SK(07.09.2021)