



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

( Civil Appellate Jurisdiction )

Tuesday, the Sixteenth day of November,  
Two Thousand and Twenty One

WEB COPY

PRESENT

The Honourable Mrs. Justice S. ANANTHI

CMA(MD). No.996 of 2021

1. Rajeswari  
2. Minor.Mohanram  
(2<sup>nd</sup> Appellant minor represented by his mother  
and natural guardian/1<sup>st</sup> Appellant)  
3. Kamatchiammal ...Appellant/Petitioners

Vs

1. Manivannan  
2 The Branch Manager,  
United India Insurance Company Ltd.,  
Divisional Office,  
19/2, Novrang Plaza, 2<sup>nd</sup> Floor,  
Opposite to LGB Petrol Bunk,  
Kovai Road, Karur,  
Karur District. ... Respondents/Respondents

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 to set aside the Judgement and Decree dated 19.07.2019 made in M.C.O.P No. 62 of 2014 on the file of Motor Accident Claims Tribunal(Sub Court), Vendasandur, Dindigul District.

DECREE:-

This Civil Miscellaneous Appeal came up for final hearing on this day, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr. I.Pinaygash, Advocate for the Appellants and of Mr.J.S.Murali, Advocate for the Second respondent and none appeared for first respondent herein and the Claimant paid Additional Court fee as per memo dated 01.10.2021 for Rs.23,323/- (Rupees Twenty three Thousand Three hundred and twenty three only), and this Court while allowing the Appeal in partly, doth order and decree as follows:-

(1) That the compensation awarded by the Tribunal shall enhanced from sum of Rs.14,10,000/- (Rupees Fourrteen Lakhs and Ten Thousand only) to sum of Rs.21,51,808/- (Rupees Twenty one Lakhs and Eight Hundred and eight only) with interest at



the rate of 7.5% per annum;

(2) That the Second Respondent/Insurance company be and hereby is directed to deposit the enhanced compensation amount i.e, Rs.21,51,808/- (Rupees Twenty one Lakhs Fifty one Thousand Eight Hundred and eight only) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit to the credit of MCOP.No.62 of 2014 on the file of the Motor Accident Claims Tribunal, Subordinate Court), Veda sandur, Dindigul District, within a period of four weeks from the date of receipt of a copy of this order;

(3) That on such deposit being made, the Appellants/Claimants 1 and 3 shall withdraw the said entire award amount after following due process of law; The apportionment granted by Tribunal shall kept intact;

(4) That the share of the minor Second Appellant herein shall be deposited in any one of the nationalised Banks, till he attains majority.

(5) The First Appellant/mother and guardian of the minor Second Appellant shall withdraw the interest from the above said deposit, once in three months directly from the Bank and utilize the same for the welfare of the child;

(6) And that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal,  
Subordinate Judge,  
Veda sandur,  
Dindigul District.

Copy to:

The Section Officer,  
V.R. Section,  
Madurai Bench of Madras High Court, Madurai - 2 Copies

+2 CC to Mr. J.S.Murali, Advocate, S.R.No.34804, 34805



+1 CC to Mr. I.Pinaygash, Advocate, S.R.No.34844

ORDER DATED 16.11.2021

**DECREE**

C.M.A(MD). No.996 of 2021

Partly Allowing the Civil  
Miscellaneous Appeal filed against the  
award dated 19.07.2019 made in M.C.O.P  
No. 62 of 2014 on the file of Motor  
Accident Claims Tribunal(Sub Court),  
Vedasandur, Dindigul District etc., as  
stated within.

KB(09.02.2022) 3P 7C