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IN THE HIGH COURT OF JUDICATURE AT MADRAS
THURSDAY, THE TWENTY FOURTH DAY OF MARCH,
TWO THOUSAND AND TWENTY TWO

PRESENT:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A.No.1884 of 2013

Sundararajan

...Appellant/Petitioner

Vs.

1. Thiru S.R.P Process,
14-3-4, P.U.Pada Salai Street,
Jalakandapuram Post,
Mettur Taluk,
Salem District.

2. The New India Assurance Co.Ltd.,
No.80, Arcot Road, Porur,
Chennai - 600 116.

...Respondents/Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act 1988 to set aside the award passed in MCOP.No.95 of 2006 dated 05.01.2013 by the Motor Accidents Claims Tribunal, Subordinate Judge at Mettur.

DECREE: This Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the judgment and decree of the Lower Court and the material papers in this case and upon hearing the arguments of Mr.I.David Singh, Advocate of the Appellant and of Mr.K.Vinoth for Mrs.Elveera Ravindran, Advocate for the Second Respondent and the Petitioner/Appellant having already paid the additional Court fee for the enhanced award amount at the time of filing of CMA and this Court, while allowing this appeal in part, doth order and decree as follows.

1. That the award passed by the Motor Accidents Claim Tribunal, Subordinate Judge, Mettur, made in MCOP.No.95 of 2006 dated 05.01.2013 be and hereby is enhanced from of Rs.3,44,200/- to Rs.4,44,200/- (Rupees Four Lakhs Fourty Four Thousand Two Hundred Only)

2. That the respondents No.1 and 2 be and hereby are directed to deposit the enhanced compensation of Rs.4,44,200/- (Rupees Four lakh forty four thousand and two hundred only) with accrued interest at 7.5% per annum and costs from the date of filing of petition till the date of deposit, less the amount already deposited, if any, within a period of eight (8) weeks from the date of receipt of a copy of this order, and is payable



by the second respondent on behalf of the first respondent.

3. That on such deposit, the claimant be and hereby is entitled to withdraw the award amount together with interest and costs.

4. That there shall be no costs in this Civil Miscellaneous Appeal.

-s/d-
Assistant Registrar

//True Copy

Sub-Assistant Registrar

msv

To

1. The Motor Accident Claims Tribunal
Subordinate Judge,
Mettur.
2. The Record Keeper,
V.R.Section,
Madras High Court,
Chennai.

+1cc to M/s.Elveera Ravindran, Advocate, S.R.No.19865

+1cc to Mr.I.David Singh, Advocate, S.R.No.20039

ORDER DATED: 24.03.2022

DECREE:

C.M.A.No.1884 of 2013

Partly Allowing the
Civil Miscellaneous
Appeal preferred against
the award passed by the
Motor Accident Claims
Tribunal, Subordinate
Judge at Mettur made in
MCOP.No.95 of 2006 dated
05.01.2013 etc., as
stated within.

AK(CO)
RN(01/06/2022)