



IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND ANT TWENTY

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PRESENT

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

C.M.A.No.928 of 2015

S.Selvam ... Appellant

/versus/

1.Kwono Yong

2.The New India Assurance Co.Ltd.,
No.45,Moore Street,
Chennai - 1.

... Respondents

Prayer: This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act to enhance the award against the judgment and decree dated 31.10.2014 and made in M.A.C.T.O.P.No.1477 of 2012 on the file of the Motor Accident Claims Tribunal and III Court of Small Causes, Chennai.

Decree: This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the Grounds of Appeal, the award of the Tribunal below and the material records in this case and upon hearing the arguments of M/s.M.Malar, Advocate for the Appellant and of Mrs.R.Sreevidhya, Advocate for the second respondent and the first respondent not appeared in person nor through his counsel, this Court while allowing the appeal in part, doth Order and decree as follows:

- 1.that the award of the Tribunal be and hereby s enhanced to Rs.1,47,000/- (Rupeeese One lakh Forty seven thousand only) from Rs.87,000/- (Rupees Eighty seven thousand only)
- 2.that the second respondent herein/Insurance Company be and hereby is directed to deposit the enhanced award of Rs.1,47,000/- (Rupees one lakh forty seven thousand only) together with interest at the rate of 7.5% p.a from the date of petition, till the date of realisation within a period of 12 weeks from the date of receipt of a copy of this order.
- 3.That on such deposit being made, the Appellant herein/Claimant be and here is permitted to withdraw the award amount, on proper application.



4. That there be no order as to costs.

Sd/-

Assistant Registrar (CS-IV)

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//True Copy//

Sub Assistant Registrar

To

1. The Motor Accident Claims Tribunal,
IIIrd Judge, Court of Small Causes, Chennai.

2. The Section Officer,
V.R. Section, High Court,
Madras-104.

+1cc to M/s. M. Malar, Advocate, S.R.No.33037

Order Dated: 07.10.2020

C.M.A.No.928 of 2015

DECREE: Partly allowing this
Appeal preferred against the
award dated 31.10.2014 in
MACTOP.No.1477/2012 on the
file of the Motor Accident
Claims Tribunal III Court of
Small Causes, Chennai.

RGN (CO)

CB(11/10/2021)