



WEB COPY



C.M.P.No.11375 of 2021
Cros.Obj.SR.No.41106 of 2021

C.M.P.No.11375 of 2021 in
Cros.Obj.SR.No.41106 of 2021 in

C.M.A.No.416 of 2021

V.M.VELUMANI, J.

and

T.V.THAMILSELVI, J.

C.M.P.No.11375 of 2021 is filed by the petitioner / cross objector / claimant to amend the claim made by the petitioner in M.C.O.P.No.111 of 2015 on the file of the Motor Accident Claims Tribunal, Special Sub Court No.I, Salem as Rs.55,00,000/- instead of Rs.30,00,000/- in pending C.M.A.No.416 of 2021.

2.Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the 1st respondent and perused the materials available on record.

3.According to the petitioner/claimant, she is entitled to more compensation than what is claimed in the claim petition and than what is awarded by the Tribunal. She has filed Cros.Obj.SR.No.41106 of 2021 for enhancement of compensation. Pending numbering of Cros.Obj.SR, the petitioner is seeking amendment of claim petition, claiming more amount.



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4.It is well settled that the Tribunal and Court must award just compensation, which may be more than what is claimed by the claimant. In view of the same, if the petitioner is entitled more amounts than what is claimed in the claim petition, the Courts have power to award more compensation even without amending the claim petition.

5.In view of the above, C.M.P.No.11375 of 2021 is dismissed.

6.Registry is directed to number the cross objection, if it is otherwise in order and list the cross objection along with C.M.A.No.416 of 2021 next week.

(V.M.V., J) (T.V.T.S., J)

12.09.2022
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C.M.A.No.416 of 2021

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