



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

AND

THE HON`BLE MR.JUSTICE S.SOUNTHAR

C.M.P.No.8519 of 2022

in C.M.A.SR.No.46027 of 2022

S.ILAMVAZHUTHI

[PETITIONER]

Vs

1 J.PRIYA

[RESPONDENTS]

2 UNITED INDIA INSURANCE CO. LTD,
MOTOR THIRD PARTY HUB,
SILINGI BUILDING, 4TH FLOOR,
NO.134, GREEMS ROAD,
CHENNAI-600006.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to amend the claim amount as Rs.54,00,000 in M.C.O.P.No.7707/2017 on the file of the Motor Accident Claims Tribunal(III Small Causes Court), Chennai [C.M.P.No.8519/2022 in C.M.A.SR.No.46027/2022]

Order : This Miscellaneous petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.PRITHIVI RAJ, Advocate for M/S.R.NALLIYAPPAN, Advocate for the petitioner, the court made the following order:-

(Order of the Court was delivered by V.M.VELUMANI, J)

C.M.P.No.8519 of 2022 is filed to amend the claim amount as Rs.54,00,000/- in M.C.O.P.No.7707 of 2017 on the file of Motor Accident Claims Tribunal, III Small Causes Court, Chennai.

2.Heard the learned counsel appearing for the petitioner and perused the materials available on record.



3. According to the petitioner/claimant, he is entitled to more compensation than what is claimed in the claim petition and than what is awarded by the Tribunal. He has filed C.M.A.SR.No.46027 of 2022, for enhancement of compensation. Pending numbering of SR, the petitioner is seeking amendment of claim petition, claiming more amount. It is well settled that the Tribunal and Court must award just compensation, which may be more than what is claimed by the claimant.

4. In view of the same, if the petitioner is entitled for more amounts than what is claimed in the claim petition, the Court has power to award more compensation even without amending the claim petition.

5. In the result, the Civil Miscellaneous Petition is dismissed.

-sd/-
29/06/2022

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

THE III JUDGE,
SMALL CAUSES COURT,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
CHENNAI

COPY TO

THE ASSISTANT REGISTRAR,
MAIN AE SECTION,
HIGH COURT, MADRAS 104

Order
in
C.M.P.No.8519 of 2022
in C.M.A.SR.No.46027 of 2022

Date : 29/06/2022

From 26.2.2001 the Registry is issuing certified
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