

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY, TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

CMA No. 356 of 2018

Jayalakshmi ... Appellant/Petitioner

Vs

1. N.Chinnusamy
2. Tamil Nadu State Transport Corporation Limited
No.12, Ramakrishna Main Road, Salem -7.
3. National Insurance Company Ltd.,
D.O.Balaji Towers, 2nd Floor, No.11,
Ramakrishna Road, Salem -7. ... Respondents/Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree of the Motor Accident Claims Tribunal, Special District Judge, Salem, made in M.C.O.P.No.2456 of 2010 dated 23.12.2016.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on Tuesday, the fifth day of April, Two thousand twenty two and upon perusing the Grounds of Appeal, the Judgment and Decree of the lower Court, and the records in the case and upon hearing the arguments of Mr.C.Kulanthaivel, Advocate for the Appellant and of Mr.A.Sundaravadhanam, Advocate for the Second Respondent, Mrs. N.B.Surekha, Advocate for the third respondent and first respondent herein having been remained exparte before the Tribunal and this Court while allowing this Civil Miscellaneous Appeal, doth order and decree as follows:

(i) That the Order and Decree of the Motor Accident Claims Tribunal, Special District Judge, Salem, made in M.C.O.P.No.2456 of 2010 dated 23.12.2016, be and hereby is modified by enhancing the compensation amount from Rs.7,76,403/- (Rupees Seven Lakhs Seventy Six Thousand four hundred and three Only) to Rs.20,10,403/- (Rupees Twenty Lakhs Ten Thousand Four Hundred and Three Only) with interest at the rate of 7.5% per annum from the date of Petition till the date of deposit.

(i) That the Insurance Company/3rd respondent, be and hereby is directed to deposit the enhanced award amount along

with interest and costs, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this order.

(iii) That on such deposit, the Appellant/Claimant is permitted to withdraw the award amount, after adjusting the amount, if any, already withdrawn.

(iv) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsg

To

1. The Motor Accident Claims Tribunal,
Special District Court
Salem.

2. The Section Officer,
VR Section,
Madras High Court, Chennai.

+1cc to M/s.N.B.Surekha, Advocate, S.R.No.28787 to 28790

DATED: 26/04/2022

DECREE:

CMA No. 356 of 2018

Allowing this Civil Miscellaneous Appeal Preferred against the Judgment and Decree of the Motor Accident Claims Tribunal, Special District Judge, Salem, made in M.C.O.P.No.2456 of 2010 dated 23.12.2016 etc., as stated within-No Costs.

CNR(CO)
SB(02/06/2022)