



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

C.M.A.No.1848 of 2020

S.Mani ... Appellant/Petitioner

Vs.

1A.Sekar

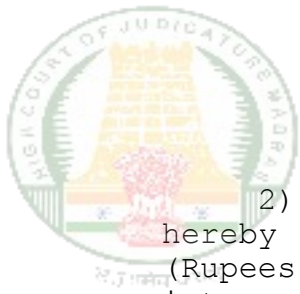
2.The New India Ass. Co. Ltd.,
Motor III Party Claims Office,
No.45, Moore Street,
Chennai - 600 001.

... Respondents/Respondents

Prayer : Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988 against the award and decree dated 13.11.2019 made in MCOP No.366 of 2016 on the file of Motor Accident Claims Tribunal, Special Sub-Judge - II at Chennai.

Decree : This Civil Miscellaneous Apopeal coming on for hearing as to admission on this day, upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mrs.Maithri Mahalingam, Advocate for the Appellant and Mr.M.Krishnamoorthy, Advocate for the 2nd Respondent and Notice to the 1st Respondent having been dispensed with wherein the Appellant/Petitioner having been paid the Additional Court Fees in respect of the enhanced award amount while filing of this Civil Miscellaneous Appeal itself/this day, this Court while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, doth order and decree as follows:

1) that the award of the Motor Accident Claims Tribunal, Special Sub-Judge - II be and hereby is enhanced from Rs.10,87,700/- (Rupees Ten lakhs eighty seven thousand seven hundred only) to Rs.12,60,000/- (Rupees Twelve lakhs and sixty thousand only) together with interest and cost.



2) that the Second Respondent/Insurance Company be and hereby to deposit the modified award amount of Rs.12,60,000/- (Rupees Twelve lakhs and sixty thousand only) with accrued 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.

3) that on such deposit, the appellant herein/claimant be and hereby is permitted to withdraw the award amount less the amount already withdrawn, if any, together with proportionate interest and costs. No costs.

4) that there be no cross in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

To

1.The Motor Accident Claims Tribunal,
Special Sub-Judge - II, Chennai.

2.The Section Officer,
V.R.Section,
Madras High Court,
Chennai.

DATED : 15.02.2022

DECREE :

C.M.A.No.1848 of 2020

Partly allowing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 13.11.2019 made in MCOP No.366 of 2016 on the file of Motor Accident Claims Tribunal, Special Sub-Judge - II at Chennai etc., as stated therein.

JPL (CO)
GMY (18/04/2022)