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C.M.P.No. 2155 of 2022
in C.M.A.No.547 of 2017

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C.M.A. No. 547 of 2017

T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to modify the condition imposed by this court in C.M.A.No.547 of 2017 dated 31.03.2021 depositing minor share of compensation in the nationalised bank till attaining the age of majority.

2. Heard both sides.

3. Mr.S.Parthasarathy, learned counsel for petitioner would submit that the petitioners 2 to 4 have already attained majority and even though the same was observed by this court, but while ordering disbursement of compensation amount, erroneously stated that the share of petitioners 2 to 4 are ordered to be deposited in a nationalised bank as if they were minors. Hence, he has filed this petition to modify the same.



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4. Considering the said submissions that the petitioners 2 to 4 have already attained majority, the proportionate share allotted to them is ordered to be disbursed to them directly. To that effect, the last para of the order is modified.

5. Another condition putforth by the respondent that as per the new amendment, the compensation is to be awarded either Rs.4 lakhs with interest or Rs.8 lakhs. This Court complied with new amendment, but while compensation was awarded, a sum of Rs.8 lakhs was fixed along with interest at the rate of 9%.

6. As pointed by the respondent's counsel, as per new amendment, the petitioners are entitled for a total compensation amount of Rs.8 lakhs without any interest. Accordingly, the interest portion is modified, and the compensation amount of Rs.8 lakhs is ordered to be disbursed to the petitioners as follows :-



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(a) The 1st appellant/wife of deceased is entitled to the compensation of Rs.3,50,000/- (Rupees three lakhs and fifty thousand only)

(b) The appellants 2 to 4/daughters and son of deceased are entitled to the compensation of Rs.1,50,000/- (Rupees one lakh and fifty thousand only) each.

Accordingly, this petition is ordered.

02.08.2022

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