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IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY THE EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

CMA.No.1518 of 2017

1.Saroja
2.Kumar
3.Selvi

...Appellants/Petitioners

v.

1.Shenkaran
2.The National Insurance Co. Limited,
No.751, Anna Salai,
Chennai - 6.

...Respondents/Respondents

Prayer : Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the award dated 10.11.2016 made in MCOP No.312 of 2014 on the file of the Motor Accident Claims Tribunal / Chief Judge, Court of Small Causes, Chennai.

Decree : This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers int his case and upon hearing the arguments of Mr.K.Varadha Kamaraj, Advocate for the Appellants and of Mr.D.Bhaskaran, Advocate for the 2nd Respondent, wherein the 1st Respondent having remained exparte in Lower Court itself and this Court while allowing the Civil Miscellaneous Appeal and in modification of the award of the Tribunal, doth order and decree as follows:

1) that the compensation awarded by the Tribunal be and herebyis enhanced from Rs.15,000/- to Rs.65,000/- (Rupees Sixty Five Thousand only)

2) that the 2nd Respondent herein/Insurance Company be and hereby is directed to deposit the aforesaid claim amount with interest of 7.5% from the date of filing of the petition till the date of deposit, within a period of eight weeks from the date of receipt of a copy of this judgment and if any amount had been deposited pursuant to directions of this Court, the same may be adjusted.



3) that on such deposit being made the appellants herein/Petitioners be and hereby are permitted to withdraw the amount by filing necessary application.

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4) that proportion of allocation of shares adopted by the Tribunal shall stand confirmed.

5) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

To:-

The Motor Accident Claims Tribunal/
Chief Judge, Court of Small Causes, Chennai.

Copy To

The Section Officer,
VR Section, High Court Madras.

+1cc to Mr.D.Bhaskaran, Advocate SR.No.24356

+1cc to Mr.K.Varadha Kamaraj, Advocate SR.No.24797

DATED : 08/04/2022

DECREE :

CMA.No.1518 of 2017

Allowing the Civil Miscellaneous Appeal preferred against the judgment and decree dated 10.11.2016 passed in MCOP No.312 of 2014 on the file of the Motor Accident Claims Tribunal / Chief Judge, Court of Small Causes, Chennai, as stated therein.

AJS (CO)
GMY (11/05/2022)