



IN THE HIGH COURT OF JUDICATURE OF MADRAS

TUESDAY THE SEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

WEB COPY

PRESENT

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.M.A.No.1752 of 2017

1.Sandhiyagu
2.Yesumary
3.Minor Bedson Jewahar
4.Minor Subhiksha ... Appellants/Petitioners
(Minors 3 and 4 are represented
by their father 1st petitioner
Mr.Sandhiyagu)

Vs.

1.Venkatakkrishnan
2.M/s.Royal Sundaram Alliance
Insurance Company Limited,
Chennai. ... Respondents/Respondents

(The 1st respondent ex parte in Lower Court.
Hence, notice may be dispensed with)

Prayer: Appeal filed under Section 173 of the Motor Vehicles Act 1988 against the Judgment and Decree dated 10.06.2016 in M.C.O.P.No.29 of 2013 on the file of the II Additional District Judge, Motor Accidents Claims Tribunal, Chidambaram.

Decree : This Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the material records in the case and the judgment and decree of the Court below and upon hearing the arguments of Mr.K. Varadha Kamaraj, Advocate for the appellants and of Mr.G.Vasudevan, Advocate for the Second Respondent and the first respondent having been set ex parte before the Tribunal and the appellants having paid the necessary Court Fee at the time of filing of this Civil Miscellaneous Appeal itself, this Court, while allowing the appeal, doth order and decree as follows:

i) that the award of the Tribunal be and hereby is enhanced to Rs.11,18,000/- (Rupees Eleven Lakhs Eighteen Thousand only) from Rs.5,00,000/- (Rupees Five Lakhs only)



ii) that the respondent herein/Insurance Company be and hereby is directed to deposit the entire compensation amount, as ordered by this Court along with interest @ 7.5% per annum, less the statutory deposit already made to the credit of M.C.O.P.No.29 of 2013 on the file of the II Additional District Judge, Motor Accidents Claims Tribunal, Chidambaram, within a period of six weeks from the date of receipt of a copy of this order;

iii) that on such deposit the Appellants 1 and 2/claimants be and hereby are permitted to withdraw the amounts as apportioned by the Tribunal by making necessary applications. The share of the minors 2 and 3/claimants shall be deposited in any one of the Nationalised Banks in fixed deposit under the reinvestment scheme initially for a period of three years. The interest accruing on the share of the minors be paid to the 1st appellant/father of the minors once in three months, till they attain majority;

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

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

To

The II Additional District Judge,
Motor Accidents Claims Tribunal,
Chidambaram.

Copy To

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

+1cc to Mr.K. Varadha Kamaraj, Advocate SR.No.9303

+1cc to Mr.G.Vasudevan, Advocate SR.No.33447



WEB COPY

DATED : 07/06/2022

DECREE :

C.M.A.No.1752 of 2017

Allowing the appeal preferred against the judgment and decree dated 10.06.2016 in M.C.O.P.No.29 of 2013 on the file of the II Additional District Judge, Motor Accidents Claims Tribunal, Chidambaram etc., as stated within.

GJ (CO)
GMY (20/06/2022)