



CMA.No.2736 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM: JUSTICE N.SESHASAYEE

CMA.No.2736 of 2023

Selvaraji

... Appellant

-Vs-

1.M.Prabu
2.The Chief Manager,
Sri Ram General Insurance Co., Ltd.,
1st Floor, Plot No.5, Ramachandran Street,
Saravana Nagar, Seevaram,
Perungudi, Chennai.

...Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree in M.C.O.P.No.1679 of 2016 dt.16.02.2023 on the file of the Motor Accident Claims Tribunal/II Additional Subordinate Judge, Cuddalore.

For Appellant	: Mrs.Ramya V.Rao
For R1	: Notice D/w. Vide order dt.15.11.2023
For R2	: Mrs.R.Sree Vidhya

JUDGMENT

The appellant herein is the claimant who had approached this Court



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seeking enhancement of compensation as he was not satisfied with the quantum of compensation awarded by the Tribunal in an accident that took place on 03.03.2015, involving a van. The appellant herein was a passenger in the van, suffered injuries and lost couple of his teeth. Seeking compensation, he approached the Tribunal and the Tribunal had awarded Rs.30,808/- as compensation, out of which, Rs.808/- represents his medical expenses. The remaining Rs.30,000/- was awarded under the head 'pain and suffering'.

2.The medical board has assessed the disability of the claimant at 5%. Without getting into the further details, this Court fixes Rs.50,000/- as compensation for loss of amenities, transport to hospital etc.,

3.In fine, this Appeal is partly allowed and the compensation is enhanced from Rs.30,808/- to Rs.80,808/-. It is informed that the second respondent/insurance has already deposited the sum awarded by the Tribunal. This Court now requires the second respondent/insurance company to deposit an additional sum of Rs.50,000/-. Given the nature of the injury, this Court does not order payment of any interest on the



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enhanced portion of the compensation. On such deposit, the appellant is permitted to withdraw the award amount, now determined by this Court, less the amount if any, already withdrawn. The appellant is also directed to pay the necessary Court Fee, if any, on the enhanced award amount.

No costs.

22.12.2023

Tsg

To

- 1.The Motor Accident Claims Tribunal,
II Additional Subordinate Court,
Cuddalore.
- 2.The Section Officer,
V.R.Section, High Court, Madras.



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N.SESHASAYEE, J.,

Tsg

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