



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

WEB COPY

Monday, the Fifteenth day of July Two Thousand Twenty Four

PRESENT

The Hon`ble Mr.Justice G. ILANGO VAN

CMA(MD). No.685 of 2023

1. Gunasekaran
2. Minor Darshini
3. Minor Suhani
(Minors 2 and 3 are rep. their Father
and Natural Guardian, the 1st Appellant
herein)

... Appellants/Petitioners

Vs

1. Pandiraj
2. National Insurance Company Ltd.,
Branch Office,
No.33, Promenade Salai,
Cantonment,
Trichirappalli-1.

... Respondents/Respondents

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988, to modify the Judgment and decree, dated 12/09/2022 in MCOP No.515 of 2017 on the file of the Motor Accident Claims Tribunal/Special District Court, Trichirappalli, and award further enhancement of compensation of Rs.5,00,000/- and pass such further or other orders.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date,

<https://www.mhc.tn.gov.in/judis>



upon perusing the grounds of Appeal, the Award of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr. N. Sudhagar Nagaraj, Advocate for the Appellants, and Mr. N.S. Ramakrishna Dass, Advocate for the 2nd Respondent, and the counsel for the Appellants having filed Additional Court fees paid on behalf of the Appellants in a sum of of Rs.2,420/- (Two Thousand Four Hundred and Twenty Only) along with memo in U.S.R.No.34279, dated 19/09/2024, and this court while Allowing this Appeal in part and modified the award passed by the Tribunal below, doth order and decree as follows:-

1. That the award dated 12/09/2022 made in M.C.O.P.No.515 of 2017 on the file of the Motor Accident Claims Tribunal/Special District Court, Trichirappalli be and hereby is enhancement from Rs.12,25,800/- to Rs.19,67,536/- (Rupees Nineteen Lakhs Sixty Seven Thousand five hundred and thirty six only) together with interest at 7.5%.

2. That the second respondent herein/Insurance Company, be and hereby is directed to deposit a sum of Rs.19,67,536/- (Rupees Nineteen Lakhs Sixty Seven Thousand five hundred and thirty six only), less the amount, if any, already deposited, within a period of eight weeks from the date of receipt of a copy of this judgment.

3. That on such deposit is being made, the appellants herein/Claimants be and hereby are entitled to get their share as per the apportionment of the



4. That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/11/2024

Sub Assistant Registrar
(CS-1/II/III/IV)

TO

The Motor Accident Claims Tribunal,
Special District Judge,
Trichirappalli.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai (2 Copies)

+ 1.c.c. To M/s. N.S. Ramakrishna Dass, SR.No.35513.

+ 1.c.c. To M/s. N. Sudhagar Nagaraj, Advocate
SR.No.35017.



WEB COPY



ORDER DATED : 15/07/2024

=====

DECREE

=====

CMA(MD). No.685 of 2023

Nature of Decree:- while Allowing this in part and modifying the award passed by the tribunal below as agaisnt the Judgment and decree, dated 12/09/2022 in MCOP No.515 of 2017 on the file of the Motor Accident Claims Tribunal/Special District Court, Trichirappalli and award further enhancement of compensation of Rs.5,00,000/-etc., as stated therein.,

BV (05/11/2024) 4P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.