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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.M.A.No.2177 of 2023

R.Manikandan

... Appellant

Vs

1.R.Pazhaniyammal

2.R.Kannan

3.M.Kalaivani

4.Saratha

5.R.Velavan

... Respondents

PRAYER: Civil Miscellaneous Appeal filed Under Section 173 of the Motor Vehicles Act, Aggrieved by the Award dated 16.12.2022 made in M.C.O.P.No.6 of 2022 on the file of the Special District Judge, MCOP Tribunal, Salem.

For Appellant : Mr.R.Nandha Kumar
For Respondents : Mr.M.Guru Prasad



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JUDGMENT

Both side parties along with their respective counsels appeared before this Court.

2. The learned counsel for the appellant would submit that the appellant has no means to pay the award amount and requested for amicable settlement.

3. The learned counsel appearing for the respondents submits that the deceased is the father of the respondents 2 to 5 and husband of the 1st respondent. The respondents family also now suffering due to the loss of the deceased viz., Rajendran.

4. I have considered submissions of both sides.

5. A perusal of the award would go to show that there is no insurance policy for the vehicle involved in the accident and therefore, the appellant is



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liable to pay the award amount which comes to Rs.13,80,000/- including the interest as on date.

6. The learned counsel for the appellant submits that the appellant wants some time to pay the entire amount and requested for 6 months period.

7. Considering the submissions of the learned counsel for the appellant, this court is inclined to grant five (5) months time and total amount is rounded off to Rupees Fourteen Lakhs (Rs.14 lakhs) and the 1st installment falls on November 30th 2025 and the 2nd installment falls on or before 30th of January 2026 and the appellant is directed to follow the above time frame and pay the award amount. Till then, the execution proceedings in the MCOP, is stayed.

8. The appellant is further directed to take a Demand Draft for the above mentioned award amount in the name of the 1st respondent/claimant mother, other claimants share as per the apportion fixed by the Tribunal.



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9. The affidavit filed by the appellant is recorded. This Civil Miscellaneous Appeal is disposed of. The aforesaid direction must be strictly adhered to by the appellant and any deviation in this regard, the CMA will be re-opened. There shall be no order as to costs.

21.08.2025

Index : Yes/No

Neutral Citation : Yes/No

Speaking/Non Speaking order

mpa

To

1.The Special District Judge, MCOP Tribunal, Salem.

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



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T.V.THAMILSELVI, J.

mpa

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