



WEB COPY

CMA No. 1965 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-07-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 1965 of 2023

AND

CMA NO. 1501 OF 2023,CMA NO. 1940 OF 2023

1. Devika

W/o. VEDIYAPPAN, Pandithar Street,
Mashar Village, Kallaraipadi Post,
Chengam Taluk, Tiruvannamalai
District.

Appellant(s)

Vs

1. The Joint Director

Health Service, Thiruvallur,
Kancheepuram District.

2.The Divisional Manager

TATA AIG Genral Insurance Company
Limited, Samson Towers, 2nd Floor,
403L, Pantheon Road, Chennai - 600
008.

Respondent(s)

CMA No. 1501 of 2023

1. Janaki

W/o. Saravanan, Eda Street, Mashar



CMA No. 1965 of 2023



Village, Kallaraipadi Post, Chengam
Taluk, Tiruvannamalai District.

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Appellant(s)

Vs

1. The Joint Director
Health Service, Thiruvallur,
Kancheepuram District.

2. The Divisional Manager
TATA AIG Genral Insurance Company
Limited, Samson Towers, 2nd Floor,
403L, Pantheon Road, Chennai - 600
008.

Respondent(s)

CMA No. 1940 of 2023

1. Arunachalam
W/o. Vedyappan, Pandithar Street,
Mashar Village, Kallaraipadi Post,
Chengam Taluk, Tiruvannamalai
District.

Appellant(s)

Vs

1. The Joint Director
Health Services, Thiruvallur,
Kancheepuram District.

2. The Divisional Manager
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Respondent(s)

CMA No. 1965 of 2023

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PRAYER

To enhance and to set aside the award dated 26-07-2022 and made in MACTOP No.783 of 2018 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Thiruvannamalai

CMA No. 1501 of 2023

PRAYER

To set aside the Award dated 26.07.2022 and made in MACTOP.No. 781 of 2018 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Thiruvannamalai

CMA No. 1940 of 2023

PRAYER

To enhance and to set aside the award dated 26-07-2022 and made in MACTOP No.782 of 2018 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Thiruvannamalai

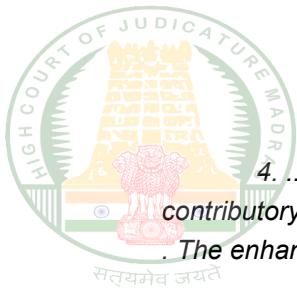
CMA No. 1965 of 2023

For Appellant(s): Ms.N.Lavanya For Mrs.M.Malar

For Respondent(s): Mr.J. Michael Visuvasam For R2
R1 - Exparte

ORDER

It is brought to the notice of this Court that some typographical error crept in para 4 & 6 in the order dated 05.06.2025 and the same may be replaced as follows:



4.In all other respects, the award remains unchanged including 15% granted towards contributory negligence by the tribunal. The enhanced compensation would be a sum of Rs.5,20,911/- . The enhanced amount would be a

S.No.	Description	Amount awarded by tribunal (Rs.)	Amount awarded by this Court(Rs.)	Award confirmed or enhanced or granted or reduced
1.				
	Total	Rs.4,81,911/-	Rs.5,20,911/- (15% deducted under contributory negligence(Rs. 78,137/-)) Rs.4,42,775/-	Enhanced

Accordingly, this Civil Miscellaneous Appeal in CMA No. 1501 of 2023 is partly allowed. The 2nd respondent/Insurance Company is directed to deposit the entire compensation amount of Rs.4,42,775/- with interest @ 7.5% per annum, less the amount already deposited.....

6..... In all other respects, the Award remains unaltered including !5% contributory negligence granted towards contributory negligence by the tribunal. The enhanced amount would be a.....

S.No.	Description	Amount awarded by tribunal (Rs.)	Amount awarded by this Court(Rs.)	Award confirmed or enhanced or granted or reduced
1.	Disability 15,000x12x14 x25%	Rs.2,50,000/-	Rs.6,30,000/-	Enhanced
2.			...	...
	Total	Rs.5,06,000/-	Rs.9,90,000/- (15% deducted under contributory negligence(Rs. 1,48,500/-)) Rs.8,41,500/-	

Accordingly, this Civil Miscellaneous Appeal in CMA No. 1965 of 2023 is partly allowed. The 2nd respondent/Insurance Company is directed to deposit the entire compensation amount of Rs.8,41,500/- with interest @ 7.5% per annum, less the amount already deposited.....



2. Registry is directed to carry out the above corrections and issue fresh

order copy to the parties.

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18-07-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

CMA No. 1965 of 2023

To

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2. The Divisional Manager

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008.

CMA No. 1501 of 2023

To

1. The Joint Director

Health Service, Thiruvallur,
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2. The Divisional Manager



CMA No. 1965 of 2023



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T.V.THAMILSELVI J.

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AND CMA NO. 1501 OF
2023,CMA NO. 1940 OF
2023**

18-07-2025