

BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL, CHENNAI

Present: Mr.D.Lingeswaran, M.A., B.L.,
Chief Judge, Court of Small Causes, Chennai.

Monday, this the 22nd day of July 2024

MOTOR ACCIDENT CLAIMS TRIBUNAL

ORIGINAL PETITION NO.4273/2022

(CNR NO.TNCH09-009812-2022)

1. B.Vedhammal, W/o.(Late) Balu, Hindu, aged about 41 years,
2. B.Rasathi, D/o.(Late) Balu, Hindu, aged about 23 years,
3. B.Chandiramathi, D/o.(Late) Balu, Hindu, aged about 20 years,
4. A.Sandhiappan, S/o.Arumugam,

All are residing at No.238, Thandumariamman Koil Street, Thirukkalukundram,
Vittilapuram, Kanchipuram, Tamilnadu 603 102. ...Petitioners.

-vs-

1. M/s.P.B.N.Construction, No.99, Big Street, Thirukazhukundram,
Chengalpattu, Kanchipuram, Tamilnadu 603 109.
2. Reliance General Insurance Co. Ltd., Reliance House, 4th Floor, No.6,
Haddows Road, Nungambakkam, Chennai 600 034. ...Respondents.

This petition has been filed U/s.166 of MV Act and Rule 3 of MACT
Rules claiming compensation of Rs.65,00,000/- for the death of Mr.S.Balu in a
road traffic accident, which took place on 26.07.2022 at about 09.30 hours.

Date of filing of claim petition	:	02.09.2022
Date of taking the petition on file	:	10.10.2022
Compensation Claimed in the MCOP	:	Rs.65,00,000/-
Compensation awarded in this petition	:	Rs. 23,03,100/-
Court fee payable on the award amount	:	Rs.22,403.50
Court fee paid along with the petition	:	Rs.10,000.00
Deficit Court fee payable	:	Rs.12,403.50
Deficit Court Fee paid vide Memo in S.R.No.27623		
e-Court Fee Receipt No.TNCT2455G2452S827, Dated: 24.07.2024.		

Date of Final Hearing	04.07.2024
Counsel for the Petitioners	Mr.S.Rathinamani
Counsel for the Respondents	1 st Respondent – Exparte 2 nd Respondent – M/s.S.Stanley John, J.B.Hepshibah Jeyanthi & M.Kumar

DECREETAL ORDER

1. that this petition is partly allowed with costs.
2. that the petitioners are entitled for a sum of **Rs.23,03,100/-** (Rupees Twenty Three Lakhs Three Thousand and One Hundred only) as compensation with interest at the rate of 7.5% per annum from the date of filing of the claim petition till the date of realization in full, excluding the default period if any with proportionate costs.
3. that the compensation amount with accrued interest and costs shall be deposited by the 2nd respondent within 90 days from today, into the tribunal's Indian Bank Account No.7103261207, IFSC Code No.IDIB000M157, MICR No.600019117 through NEFT/RTGS mode.
4. that the 1st petitioner is entitled to Rs.7,03,100/-. The petitioners 2 and 3 are entitled to Rs.7,00,000/- each. The 4th petitioner is entitled to Rs.2,00,000/-. Considering the fact that they are literate, the petitioners are permitted to withdraw their respective share amount on deposit of the same together with proportionate interest and costs.
5. that the amount shall be credited through Electronic Clearing System (ECS) in favour of 1st petitioner in A/c.No.801610110016195, Bank of India, Santhome, IFSC Code No.BKID0008016, in favour of 2nd petitioner in A/c.No.801610110016196, Bank of India, Santhome, IFSC Code No.BKID0008016 and in favour of 3rd petitioner in A/c.No.801610110016179, Bank of India, Santhome, IFSC Code No.BKID0008016.
6. that the 4th petitioner is directed to produce his Bank account details at the time of filing of payment out petition.

7. that the balance court fee to be paid within 10 days from the date of this order. Advocate Fees fixed at Rs.30,031/-.
8. that the petition is dismissed with regard to the rest of the claim amount.

STATEMENT OF COSTS

<u>For the Petitioners</u>		<u>For the Respondents</u>
	Rs.	Rs.
Stamp on Petition	22,403.50	----
Stamp on Vakalat	10.00	
Stamp on Process	40.00	
Advocate Fees	30,031.00	---
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Costs Allowed	52,484.50	---
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Given under my hand and seal of this court on this the 22nd day of July 2024.

CHIEF JUDGE
COURT OF SMALL CAUSES, CHENNAI.

DECREETAL ORDER

MCOP No.4273/2022

Dated: 22.07.2024

Chief Court,

Court of Small Causes,

Chennai.