



WEB COPY

WA No. 400 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N. SENTHILKUMAR

WP No.400 of 2026

1. S.Sudhesh

2. S.Kavitha

..Petitioner(s)

Vs

1. The Chief Judge, Small Cause Court,
Chennai – 104.

2. The Registrar, Small Cause Court,
Chennai – 104.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, seeking to quash the impugned order passed by the second respondent vide Letter No.267/2025 dated 21.01.2025 and by directing the respondent to pay interest amount a sum of Rs.2,41,668/- as on 30.11.2025 at the rate of 6% per annum from 20.12.2016 to till the realization.

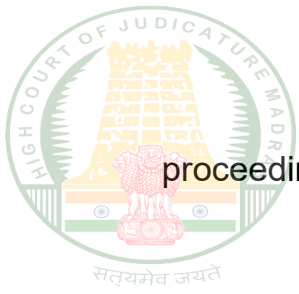
For Petitioner(s) : Mr.S.Ambigapathi

For Respondents: Mr.Anand Subramaniam

COMMON ORDER

(Order of the Court was delivered by S.M.Subramaniam J.)

The proceedings of the second respondent/Registrar, Small Causes Court, Chennai, dated 21.01.2025 is under challenge in the present writ



proceedings.

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2. The writ petitioners are the legal heirs of late S.Sekar, who died in a road accident. The legal heirs of the deceased S.Sekar filed a Claim Petition before the Motor Accidents Claims Tribunal, Chennai (IV Court of Small Causes, Chennai) in MCOP No.5522 of 2011 and an award was passed on 04.04.2014, which reads as follows:

"In the result, this petition is allowed in part and the petitioner is awarded a compensation of Rs.9,33,000/- (Rupees nine lakhs and thirty three thousand only). The petitioner is entitled to compensation from the date of petition i.e., 20.09.11 till deposit of compensation at the rate of 7.5% per annum. The respondents 1 & 4 are liable to pay compensation. As insurer of the 1st and 4th respondent's vehicle, the 3rd and 6th respondents respectively is directed to deposit the amount in the ratio of 50:50 within 2 months. In the award amount the petitioner is awarded Rs.4,33,000/-, 2nd and 3rd petitioners are awarded Rs.2,50,000/- each. The share amount of the 1st petitioner shall be deposited in a Nationalised bank for a period of 3 years in cumulative deposit. The share amount of 2nd and 3rd petitioners shall be deposited in a Nationalised bank in fixed deposit till the minor petitioners attain the majority and the accrued interest shall be credited to the account of the guardian the mother of the minor petitioners regularly once in three months. Court fee for the award; amount is Rs.8,702.50p. Excess court fee shall be refunded to the petitioner after

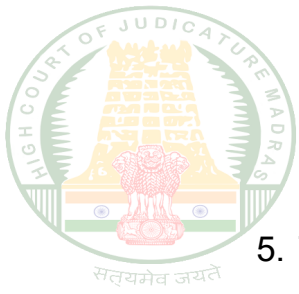


the expiry of appeal time. Advocate fee is fixed at Rs. 13,330/-."

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3. During the relevant point of time, when Mr.S.Sekar died, the petitioners were minors. As per the award, the second respondent ought to have deposited the shares of the minors in any one of the nationalised banks for a period of three years in cumulative deposit till they attained the age of majority. The award further states that the share amount of the writ petitioners shall be deposited in a Nationalised Bank in a Fixed Deposit till the minors attain the age of majority and the accrued interest shall be credited to the account of the guardian/mother of the minor petitioners regularly once in three months.

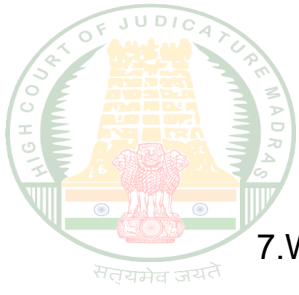
4. The learned counsel for the petitioners would submit that the shares of the writ petitioners were not deposited in any nationalised bank nor was the interest accrued paid to the guardian/mother of the petitioners. On attaining the age of majority, the writ petitioners have submitted a representation and the impugned order was passed stating that the staff of the Small Causes Court, inadvertently deposited the said amount in the RBI account. That apart, the said Court employee, Selvi Sri.Alayammal, entered the amount as Rs.50,000/- instead of Rs.5,00,000/- inadvertently. Due to the mistake committed by the Court employee, the amount of interest as per the award to the petitioners was denied.



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5. This Court is of the considered view that the fault committed by the Court employee cannot be the reason to deny the benefit of interest as awarded by the Motor Accidents Claims Tribunal. The award amount is a right confirmed and, that apart, the Tribunal in clear terms directed to deposit the amount in any one of the nationalised banks in the Fixed Deposit Scheme and the interest is directed to be credited to the account of the petitioner once in every three months. One of the directions of the award of the Motor Accidents Claims Tribunal was not complied with due to the mistake committed by the Court employee. In view of the above factual position, the petitioners have asserted their rights to claim interest for the award amount and, therefore, this writ petition deserves to be allowed.

6. Accordingly, the impugned order passed by the second respondent in Letter No.267/2025 dated 21.01.2025 is set aside and the respondents are directed to pay the interest amount of Rs.2,41,668/- as on 30.11.2025 and further calculate the interest till the date of payment of the interest amount at the rate of 7.5% per annum as passed in the MCOP award. At the outset, the interest amount is to be calculated from the date of death of Mr.Sekar till the date of payment of the interest with reference to the respective shares of the writ petitioners. The said amount is directed to be paid in favour of the writ petitioners by the respondents within a period of eight weeks from the date of receipt of a copy of this order.



7. With the above directions, the writ petition stands allowed. No costs.

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(S.M.S.,J.) (N.S.,J.)
29-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
GD

To

1. The Chief Judge,
Small Cause Court,
Chennai – 104.
2. The Registrar,
Small Cause Court,
Chennai – 104.



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**S.M.SUBRAMANIAM, J.
AND
N. SENTHILKUMAR, J.**

GD

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