



CMP(MD) NO. 511



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27-04-2026

CORAM

WEB COPY

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

AND

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

C.M.P(MD) Nos.5114 and 5115 of 2026

in C.M.A(MD) Nos.505 of 2025

Vijayalakshmi

Petitioner(s)

Vs

1. Shanmugapriya

2. Minor. Deepthi

**3. Minor. Sriram Ruthra
(Minors R2 and R3 are represented
by their Mother and Next Friend R1
Shanmugapriya)**

4. Fakrudin

**5. M/s. Sriram General Insurance Company Limited
Rep. by its Branch Manager
H.A.K.Road
Chinna Chokkikulam
Madurai.**

6. Danaraj

**7. M/s.HDFC Ergo General Insurance Company Limited
Rep. by its Regional Manager
Door No.68, 3rd Floor, Kamarajar Salai
Krishnapuram, Old Kuyavar Palayam Road
Tamil Nadu 625 009.**

Respondent(s)

For Petitioner(s):

Mr.S.Srinivasa Raghavan



For Respondent(s):

Mr.A.Liaqat Ali for R1 to R3

Mr.N.Shylappa Kalyan for R5

Prayer in C.M.P(MD)No.5114 of 2026:

To exempt the payment of balance court fee of Rs.1,14,372.50 payable by the petition in CMA(MD).No.505 of 2025 on the file of this Court during final disposal of the above appeal.

Prayer in C.M.P(MD)No.5115 of 2026:

To amend the memorandum of grounds of Civil Miscellaneous Appeal in CMA(MD) No. 505 of 2025 on the file of this Court, as per the details furnished hereunder.

ORDER

(Order of the Court was made by the Hon'ble N.Anand Venkatesh J.)

CMP (MD) No.5114 of 2026 has been filed seeking exemption from payment of court fees payable by the petitioner.

2. CMP (MD) No.5115 of 2026 has been filed to amend the memorandum of grounds of appeal in CMA (MD) No.505 of 2025 on the file of this Court.

3. We heard the learned counsel for the petitioner, the learned counsel appearing on behalf of the respondents 1 to 3 and the learned Standing Counsel appearing on behalf of the 5th respondent.

4. As per the original award passed by the Tribunal, a total compensation of Rs. 88,74,120/- was fixed along with interest at the rate of 7.5% per annum and while apportioning this compensation amount, only a sum of Rs.2,00,000/- was apportioned in favour of the petitioner herein, who is the mother of the deceased. Aggrieved by the same, the appeal has been filed before this Court.

5. It is also brought to our notice that the matter was referred before the Lok Adalat in



C.M.A(MD) No.455 of 2025, which was filed by the wife and children of the deceased seeking enhancement of compensation and the Insurance Company was inclined to pay an enhanced compensation of Rs.1,00,00,000/- apart from the amount that was already awarded by the Tribunal. However, there was again a dispute regarding the apportionment of the enhanced amount in favour of the mother of the deceased. Therefore, the Lok Adalat was not in a position to record the compromise and the matter was sent back to the Court.

6. Considering the fact that the dispute revolves only around the apportionment of the compensation amount and in view of the fact that the Insurance Company has come forward to pay enhanced compensation of Rs.1,00,00,000/- without interest apart from the award amount, we are inclined to deal with the main appeal.

7. The learned Standing Counsel appearing on behalf of M/s.Sriram General Insurance Company Limited shall file the offer made by the Insurance Company with respect to the enhanced compensation amount and also the proof of deposit of the award amount along with interest. On such filing, we will deal with the limited issue and pass final orders.

8. Post this case on 05.06.2026.

(N.ANAND VENKATESH J.) (K.K.RAMAKRISHNAN J.)
27-04-2026

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