

**BEFORE THE MEGA LOK ADALAT  
ORGANISED BY THE HIGH COURT LEGAL SERVICES COMMITTEE  
AT ERNAKULAM**

**BEFORE:**

**SRI. N. SUGUNAN (RETIRED DISTRICT JUDGE)  
&  
SRI. S.K. BALACHANDRAN (ADVOCATE)**

**SATURDAY, THE 31ST DAY OF AUGUST 2013/9TH BHADRA, 1935**

**MACA.No. 2746 of 2008 (D)**  
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**AGAINST THE AWARD IN OPMV 177/2002 of II ADDITIONAL DISTRICT COURT &  
ADDITIONAL MOTOR ACCIDENTS CLAIMS TRIBUNAL, KOLLAM DATED 19-03-2008**

**APPELLANTS/PETITIONERS:**  
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- 1. SANTHOSH KUMAR  
S/O.SIVARAMAN PILLAI, SANTHOSH BHAVAN, VENGARA  
THODIYOOR, KARUNAGAPPALLY.**
- 2. OMANAMMA,  
W/O.RAMACHANDRAN UNNITHAN, KALLALIBAGHAM  
BUNGLAVIL KIZHAKKATHIL, KARUNAGAPPALLY. (DIED)**
- 3. UNNIKUTTAN,  
S/O.SANTHOSH KUMAR AND LATE LEKHADEVI  
SANTHOSH BHAVAN, VENGARA, THODIYOOR  
KARUNAGAPPALLY.**
- 4. RAMACHANDRAN UNNITHAN,  
KALLALIL BHAGOM, BUNGLAVIL KIZHAKKATHIL  
KARUNAGAPPALLY.**

**\* APPELLANTS 5 TO 7 IMPEADED:**

**Addl. 5. GIRIJA KUMARIAMMA  
D/O.LATE OMANAMMA, KALLAIBHAGHAM  
BUNGLAVIL KIZHAKKATHIL, KARUNAGAPPALLY.**

**Addl. 6. REMADEVIAMMA  
D/O.LATE OMANAMMA, KALLAIBHAGHAM  
BUNGLAVIL KIZHAKKATHIL, KARUNAGAPPALLY.**

**Addl. 7. SREELETHA  
D/O.LATE OMANAMMA, KALLAIBHAGHAM  
BUNGLAVIL KIZHAKKATHIL, KARUNAGAPPALLY.**

**[\*ADDL. APPELLANTS 5 TO 7 ARE IMPEADED AS LEGAL HEIRS OF THE  
DECEASED 2ND APPELLANT AS PER ORDER DATED 07/08/2012 IN  
IA 1920/2012 IN MACA NO.2746/2008.]**

**BY ADVS.SRI.B.RADHAKRISHNA PILLAI  
SMT.S.AMBIKA DEVI  
SRI.P.U.SHAILAJAN  
SMT.K.B.REKHA  
SRI.R.JYOTHIKRISHNAN**

**MACA.No. 2746 of 2008 (D)**

**RESPONDENT(S):**  
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- \*1. A.SHAJIMON, ILLATHU PUTHEN VEEDU (DELETED)  
ERUVA P.O., KAYAMKULAM, ALLAPUZHA.**
- 2. NATIONAL INSURANCE COMPANY LTD  
KAYAMKULAM.**
- 3. HOCHUMIN, S/O.THANKAPPAN,  
SUDARSANA MANDIRAM, THODIYOOR, KARUNAGAPPALLY.**
- 4. THE ORIENTAL INSURANCE COMPANY LTD  
KOLLAM.**
- \*5. AJAYAKUMAR, S/O.VISWANATHAN (DELETED)  
ANEESH BHAVAN, SOUTH WEST MURI NORTH OF AVHS  
THAZHAVA, KARUNAGAPPALLY.**

**[\*RESPONDENT NO.1 AND RESPONDENT NO.5 ARE DELETED FROM THE  
PARTY ARRAY AT THE RISK OF THE APPELLANTS AS PER ORDER DATED  
17.1.2013 IN I.A. NO.3289 IN MACA 2746/2008.]**

**R2 BY ADV. SRI.LAL GEORGE  
R3 BY ADV. SRI.N.VIMALAN  
R4 BY ADV. SMT.A.SREEKALA  
BY ADV. SRI.PMM.NAJEEB KHAN**

**THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR DETERMINATION  
BEFORE THE MEGA LOK ADALAT ON 31.08.2013, THE ADALAT ON THE SAME DAY  
DELIVERED THE FOLLOWING:**

Shg/

**SRI. N. SUGUNAN (RETIRED DISTRICT JUDGE)**  
**&**  
**SRI. S.K. BALACHANDRAN (ADVOCATE)**

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**M.A.C.A No.2746 of 2008**  
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**Dated this the 31<sup>st</sup> day of August, 2013**

**AWARD**

The matter is settled for a total enhancement of RS.1,80,000/- (Rupees one lakh eighty thousand only) to be paid by respondent No.2, Insurance Company, within sixty days from the date of the award; failing which the amount will carry 6% interest from the date of default till realisation. Out of the award amount Rs.36,000/- (Rupees thirty six thousand only) shall be paid to the first petitioner Sri. Santhosh Kumar, Rs.90,000/- (Rupees ninety thousand only) to the 3<sup>rd</sup> petitioner, Sri. Unnikuttan, Rs.27,000/- (Rupees twenty seven thousand only) to the 4<sup>th</sup> petitioner Sri.Ramachandran Unnithan, and Rs.9,000/- (Rupees nine thousand) each to petitioner No.5 Girija Kumariamamma, petitioner No.6, Remadeviamma, petitioner No.7 Sreeletha.

The amount of Rs.90,000/- (Rupees ninety thousand only) due to the 3<sup>rd</sup> petitioner (minor) shall be deposited in a nationalised bank until he attains majority.

Sd/-  
**SRI. N. SUGUNAN (RETIRED DISTRICT JUDGE)**  
Sd/-  
**SRI. S.K. BALACHANDRAN (ADVOCATE)**

//True copy//

shg/

P.A. TO JUDGE