

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

C.M.A.NO.288 of 2015

and

M.P.No.1 of 2015

The Managing Director,
Tamil Nadu Transport Corporation Ltd.,
Villupuram-02. ... Appellant/ Respondent

Vs.

A.Govindarajan ... Respondent/ Petitioner

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicle Act 1988 against the judgment and decree passed by the Motor Accident Claims Tribunal (in the Court of the Special Sub-Judge (MACT)), Krishnagiri in M.C.O.P.No.2216 of 2013 dated 13.06.2014.

For Appellant : Mr.P.Paramasiva Doss

JUDGMENT

The appeal has been preferred by the Transport Corporation against the award of Rs.3,34,409/- as compensation for the injuries sustained by the respondent in the accident which occurred on 28.02.2012.

2. Heard Mr.Paramasiva Doss, learned counsel appearing for the appellant. The only point canvassed before this Court is with regard to the quantum.

3. Though the learned counsel for the appellant would submit that a sum of Rs.3,000/- was awarded for each percentage of disability, which is on the higher side, considering the brain injury caused to the respondent, the Tribunal justifiably awarded a sum of Rs.1,05,000/- for 35% disability awarding a sum of Rs.3,000/- per percentage of disability. That apart, the Tribunal awarded a sum of Rs.20,000/- towards pain and suffering; Rs.10,000/- towards nutrition and transportation; Rs.10,000/- towards attender charges; Rs.1,41,909, as per Exs.P6 and P9, towards medical expenses; Rs.25,000/- towards future medical expenses and a sum of Rs.22,500/- towards loss of income during

the treatment period, which are all reasonable and the same are confirmed. Therefore, Rs.3,34,409/- awarded by the Tribunal along with interest at 6% p.a. is very reasonable and the same cannot be interfered with. Hence, the appeal fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

4. The appellant-Transport Corporation is directed to deposit the entire amount along with accrued interest and costs, after adjusting the amount if any already deposited, within a period of six weeks from the date of receipt of a copy of this order. On such deposit being made, the respondent/claimant is permitted to withdraw the entire amount with accrued interest, after adjusting the amount if any already withdrawn, within one week thereafter.

Sd/-
Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

vsm

To

The Motor Accident Claims Tribunal,
Special Sub-Court, Krishnagiri.

C.M.A.NO.288 of 2015

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