

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

C.M.A.NO.3342 of 2014

and

M.P.No.1 of 2014

Metropolitan Transport Corporation
(Chennai Division-I) Ltd.,
Rep. By its Managing Director,
Pallavan Salai, Anna Salai,
Chennai -2.

... Appellant/Respondent

Vs.

R.Srinivasan

... Respondent/Claimant

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicle Act 1988 against the award and decree passed on 30.09.2005 in M.C.O.P.No.807/2001 on the file of the Motor Accident Tribunal (IV Court of Small Causes, Chennai).

For Appellant : Mr.P.Jagadeeswaran

JUDGMENT

The appeal has been preferred by the Transport Corporation against the award of Rs.38,000/- for the injuries sustained by the respondent in the accident which occurred on 25.10.2000.

2. Heard Mr.P.Jagadeeswaran, learned counsel appearing for the appellant.

3. The Tribunal after considering the evidences of P.W.1 and R.W.1, came to a categorical conclusion that the bus was driven rash and negligently and because of the apply of sudden break, the accident was caused. Therefore, the finding in this regard cannot be set aside. Based on medical records viz., Exs.P.1 to P4 and P.W.2 Doctor, the Tribunal found that the respondent sustained 25% disability and awarded a sum of Rs.25,000/- towards disability and including other amounts a sum of Rs.38,000/- was awarded as compensation. The award of the Tribunal cannot be disturbed and 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 interest and costs within a period of four 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.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

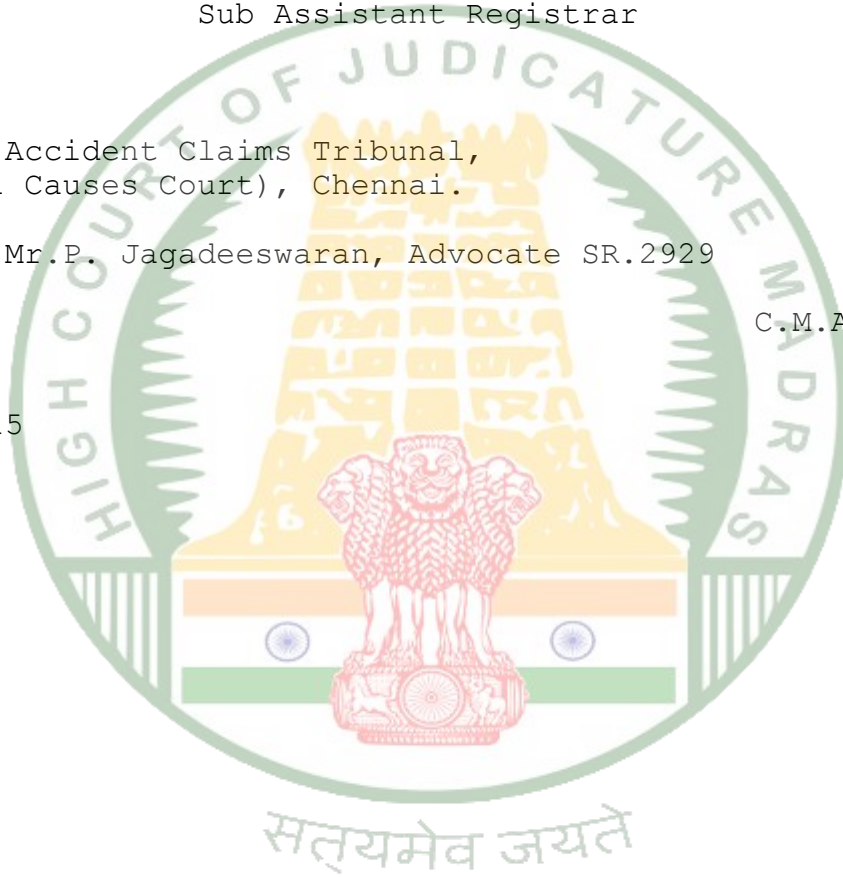
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To

The Motor Accident Claims Tribunal,
(IV Small Causes Court), Chennai.

+ 1 cc to Mr.P. Jagadeeswaran, Advocate SR.2929

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Eu 05.03.15



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