

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE K.B.K.VASUKI

C.M.A.NPD.No.1231 of 2002

The Managing Director,
Tamil Nadu State Transport Corporation,
(VPM DVN.1) Ltd.
Villupuram.

... Appellant/Respondent

Vs.

Ravi

... Respondent/Petitioner

Prayer : This Appeal filed under Section 173 of the Motor Vehicles Act, against the Judgment and Award dated 12.12.2001 made in M.C.O.P.No.1690 of 1998 on the file of the Motor Accidents Claims Tribunal (V Judge, Court of Small Causes), Chennai.

For Appellant : Mrs.Sreevidya

For Respondent : Mr.S.Udayakumar

JUDGMENT

The State Transport Corporation who is the respondent before the Tribunal is the appellant herein. The appeal is filed questioning the correctness of the award of compensation of Rs.1,50,000/- awarded by the Tribunal to the injured claimant.

2. The Tribunal, having accepted the claimant's case that the claimant, in the accident, sustained multiple fractures and was treated in the Government Hospital for two days and thereafter, in Ramachandra Hospital for 37 days and he was operated and plate was implanted and because of injury, he sustained permanent disability and he is unable to walk and sit freely and he was on the date of accident aged about 60 years and gas cutting cooly and also having accepted the permanent disability as 70% as assessed by P.W.2-Doctor, awarded lump sum compensation of Rs.1,50,000/-.

3. Considering the age and nature of the avocation, monthly earnings and nature of injuries sustained by the claimant and also considering the nature and duration of treatment, quantum of medical expenses, pain and sufferings suffered by the claimant, the extent of permanent disability and impact of the same on his earning capacity, this Court finds the sum of Rs.1,50,000/- awarded by the Tribunal to the petitioner as just compensation and the same warrants no interference.

4. In the result, the Civil Miscellaneous Appeal is dismissed. Time for deposit of balance award amount, if any, is four weeks from the date of receipt of the copy of this Judgment. On such deposit, the respondent/claimant is permitted to withdraw entire award amount along with interest by cheque petition before the Tribunal. No costs.

Sd/-
Assistant Registrar

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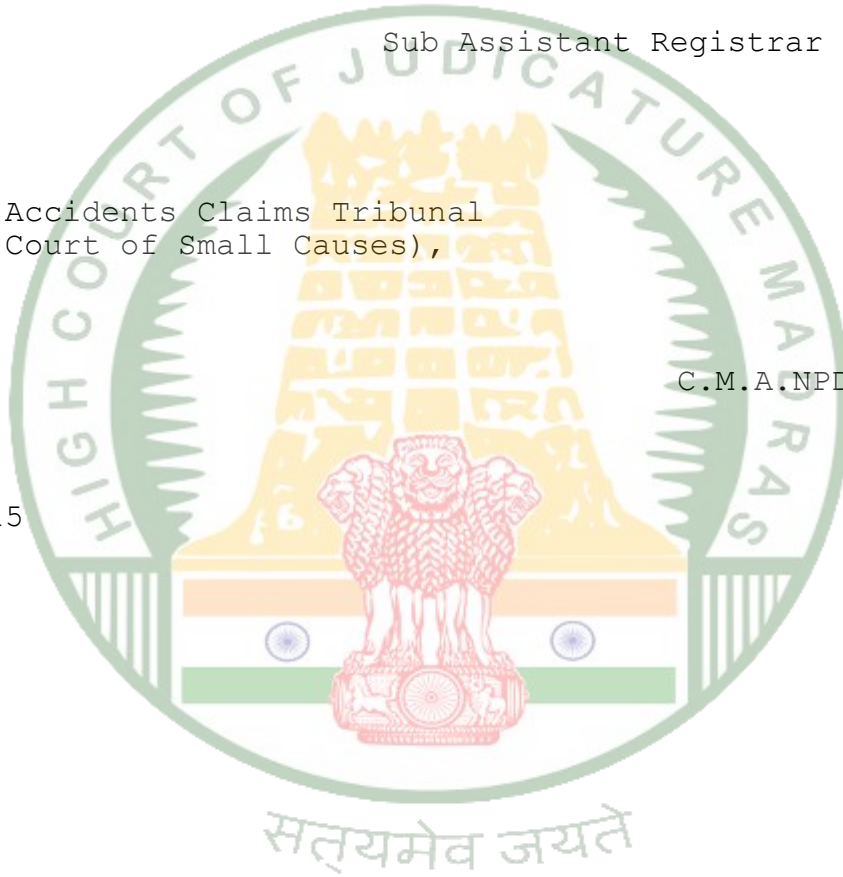
Sub Assistant Registrar

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To

The Motor Accidents Claims Tribunal
(V Judge, Court of Small Causes),
Chennai.

C.M.A.NPD.No.1231 of 2002

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