

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2016

CORAM

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

C.M.A.No.1464 of 2016
and CMP.No.11240 of 2016

The Managing Director,
Tamilnadu State Transport Corporation Limited,
Kumbakonam, having Office at Railway Station Road,
Kumbakonam Munisifi & Taluk ... Appellant / Respondent

.Vs.

1.Mathialagan
2.Mohana
3.Jenni ... Respondents / Petitioner

This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988 against the Judgment and decree dated 10.07.2012 made in M.C.O.P.No.2 of 2008 on the file of the Motor Accident Claims Tribunal (Principal District and Sessions Court) Thiruvavur.

For petitioner : Mr.V.S.Vijay Veliappan

O R D E R

Impugning the quantum of compensation to the extent of Rs.6,00,000/- as against the original claim of Rs.6,00,000/-, this Civil Miscellaneous Appeal has been filed by the Appellant-Transport Corporation under Section 173 of the Motor Vehicles Act, 1988.

2. It is revealed from the records that on 12.11.2007 at about 6.45 a.m, the deceased Hariharasudhan had succumbed to injuries in a road traffic accident, involving a motorcycle as well as a passenger bus belonging to the appellant-transport Corporation.

3. The accident took place when the deceased was travelling in his motorcycle bearing Reg.No.TN.50.D.7674. The appellant-transport Corporation had contested the claim by filing their counter statement. However, based on the evidences both oral and documentary, the Tribunal had proceeded to award a sum of Rs.6,48,000/- rounded to Rs.6,00,000/- directing the appellant-

transport Corporation to pay this amount along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit.

4. This Court has carefully perused the award of the Tribunal and it would go to show that the deceased was working as a fitter at the relevant point of time and was getting a sum of Rs.3,000/-towards his monthly income. The deceased was since aged about 21 years at the time of occurrence, the multiplier of '18' was selected and in consequence thereof a sum of Rs.6,48,000/- towards the pecuniary loss of family was quantified. However the Tribunal had suo-motu rounded the figure at Rs.6,00,000/-. Insofar as this court is concerned, the Award of the Tribunal does not require any modification or change as no infirmity is found.

5. Accordingly, this Civil Miscellaneous Appeal is dismissed at the initial stage of admission and the award of the Tribunal is confirmed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

kkd

To

The Motor Accident Claims Tribunal
(Principal District and Sessions Court) Thiruvavur.

Copy to

The Section Officer
VR Section
High Court, Madras

1 cc to Mr. Vijay Veliappan, Advocate, Sr. 44537

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