

IN THE HIGH COURT OF JUDICATUE AT MADRAS

DATED: 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

C.M.A. No.1562 of 2015

Metropolitan Transport Corporation Limited,  
Rep. By its Managing Director,  
Anna Salai, Chennai - 2. .. Appellant/Respondent

Vs

1.Mrs.Senbagam  
2.Mr.Kannappan .. Respondents/Respondents

Prayer: This Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the decree and judgment dated 17.04.2014, made in M.C.O.P.No.3610 of **\*2012**, on the file of the Motor Accidents Claims Tribunal (IIIrd Judge, Court of Small Causes), Chennai.

For appellant : Mr.S.Sivakumar

For Respondents : Mr.K.V.Muthuvisakan

JUDGMENT

When the matter is taken up, learned counsel appearing for the appellant - Transport Corporation submitted that the Tribunal has awarded a sum of Rs.1,00,000/- each to both the parents towards love and affection. According to him, except on this head, rest of the compensation awarded by the Tribunal are just and proper, therefore, he pleaded, a sum of Rs.50,000/- each may be awarded towards love and affection to both the parents.

2. Learned counsel appearing for the respondents/claimants has also agreed with the said contention of the learned counsel appearing for the appellant.

3. It is seen that the Tribunal has awarded a total compensation of Rs.13,05,000/-, including Rs.1,00,000/- each towards love and affection. Therefore, recording the above said contention of the learned counsel appearing on either side, a sum of Rs.50,000/- each towards love and affection is awarded to both the parents, instead of Rs.1,00,000/- each awarded by the Tribunal. Accordingly, a final compensation is modified at

Rs.12,05,000/-, instated of Rs.13,05,000/- awarded by the Tribunal.

4. The appellant - Transport Corporation is directed to deposit the entire award amount, less the amount already deposited if any, to the credit of M.C.O.P.No.3610 of **\*2012** on the file of the Motor Accidents Claims Tribunal (IIIrd Court of Small Causes), Chennai, within a period of four weeks from the date of receipt of a copy of this judgment. On such deposit, the respondents/claimants are permitted to withdraw the entire award amount along with the interest accrued thereon by making proper application.

5. In fine, with the above modification, the Civil Miscellaneous Appeal is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.  
rkm

s/d-  
Assistant Registrar(CCC)  
Dated: 24.2.2016

\*Corrected as per  
order of this Court  
dated 18.3.2016

Sd/  
Assistant Registrar  
Dated: 22.3.2016

True Copy

Sub-Assistant Registrar

To

The Motor Accident Claims Tribunal,  
III Judge, Court of Small Causes,  
Chennai.

To be  
substituted to  
the order  
already  
despatched on  
2.3.2016

+ 1 cc to Mr.K.V.Muthuvisakan, Advocate SR 17452

+ 1 cc to Mr.S.Sivakumar, Advocate SR 5075

vsn(co)  
prk25/2

C.M.A. No.1562 of 2015

kk 22/3