

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.09.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

C.M.A. Nos.1834 and 1835 of 2016
& C.M.P.Nos.13448 and 13449 of 2016

The Managing Director,
Tamil Nadu State Transport Corporation,
Coimbatore Ltd.,
37, Mettupalayam Road,
Coimbatore.

... Appellant in both
cases/Respondent-2

Versus

1.Pandian

...Respondent/Petitioner

2.Devendhiran

...2nd Respondents in C.M.A. No.1834 of
2016/Ist Respondent

1.Sumathi

... Respondent/Petitioner

2.Devendhiran

...2nd Respondent in C.M.A. No.1835 of
2016/Ist Respondent

(R2 not necessary party in this proceedings. Hence given up)

PRAYER in both cases: Civil Miscellaneous Appeals filed under
Section 173 of Motor Vehicles Act, 1988 against the judgment and
decree dated 21.02.2014 made in M.C.O.P.Nos.143 and 145/2012 on
the file of the Motor Accidents Claims Tribunal, (Subordinate
Court), Tiruppur.

For Appellant in both cases : Mr.V.Udayakumar

For Respondents in both cases : Mr.Ma.P.Thangavel for R1

COMMON JUDGMENT

The Managing Director of Tamil Nadu State Transport
Corporation has filed the present Civil Miscellaneous Appeals,
challenging the correctness of the impugned award dated
21.02.2014 made in M.C.O.P.Nos.143 and 145/2012 on the file of
the Motor Accidents Claims Tribunal, (Subordinate Court),
Tiruppur.

2.The case of the claimants is that on 01.07.2011 at about 01.45 p.m., when the claimants were travelling in the two wheeler bearing Registration No.TN 37 AS 2937, a bus bearing Registration No.TN 38 N 1245, came in a rash and negligent manner and dashed the claimants, as a result, the claimants sustained grievous injuries. They were immediately taken to CMC Hospital, Coimbatore. According to the claimants, the accident was happened due to the rash and negligent driving of the driver of the bus.

3.As both the claimants were coolie workers and due to the accident they sustained fractures in the face, left hand and multiple abrasions all over the body, the learned Tribunal has awarded only a sum of Rs.15,000/- each to the claimants. Therefore, this Court is not able to find any merit in the appeals and hence the same are dismissed. No costs.

4.Since the learned counsel for the appellant/Transport Corporation submitted that the appellant/Transport Corporation had deposited a sum of Rs.25,000/- towards statutory deposit, the balance amount is directed to be deposited within a period of four weeks from the date of receipt of a copy of this order. On such deposit, it is for the claimants to move a petition before the Tribunal for withdrawing the said amount.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Motor Accidents Claims Tribunal,
(Subordinate Court), Tiruppur

2.The Section Officer,
V.R.Section,
High Court, Madras.

+2cc to Mr.MA.P.Thangavel, Advocate sr.56792, 56791
+2cc to Mr.V.Udayakumar, Advocate Sr.56329, 56330

C.M.A. Nos.1834 and 1835 of 2016

ca[co]
srg 03/01/2017