

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2016

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

C.M.A.No.2470 of 2003

Tamil Nadu State Transport Corporation,
Formerly Annai Sathiya Transport Corporation,
Salem Division-II,
Rep. by its Managing Director,
Dharmapuri. ... Appellant/Respondent
(Cause title accepted vide order of
this Court dated 04.09.2003 made in
C.M.P.No.12623 of 2003.

... Vs ...

Danapal ... Respondent/Petitioner

Prayer: Civil Miscellaneous Appeal filed under Section 173 of
the Motor Vehicles Act, against the judgment and decree of the
Motor Accidents Claims Tribunal-cum-Additional District Court,
Dharmapuri, dated 04.10.2002 made in M.C.O.P.No.228 of 1997.

For Appellant : Mr.V.Udayakumar

For Respondent : No appearance

JUDGMENT

This civil miscellaneous appeal is preferred by the
appellant/Transport corporation, questioning the quantum of
compensation awarded by the Motor Accidents Claims Tribunal-
cum-Additional District Court, Dharmapuri, in M.C.O.P.No.228
of 1997, dated 04.10.2002.

2. The learned counsel for the appellant/Transport
Corporation would mainly contend that the Tribunal awarded
excessive compensation and hence, he prayed for awarding just
compensation by allowing the appeal.

3. Even though notice was served on the respondent and
his name is also printed in the cause list, he has not chosen
to appear either in person or through counsel. Hence, this
Court heard the submissions made by the learned counsel for
the appellant and perused the records.

4. On perusal of the judgment of the Tribunal, it is seen
that the Tribunal, after considering the evidence of the

claimant and after analysing the materials produced on the side of the claimant, awarded just compensation of Rs.2,50,000/- under various heads.

5. Considering the facts and circumstances of the case, the Tribunal, awarded just and appropriate compensation to the claimant and it cannot be termed as excessive. Therefore, the argument of the learned counsel for the appellant/Transport Corporation that the Tribunal awarded excessive compensation is not at all acceptable and hence, the civil miscellaneous appeal deserves to be dismissed.

6. In the result, the civil miscellaneous appeal is dismissed by confirming the judgment and decree dated 04.10.2002 made in M.C.O.P.No.228 of 1997, on the file of the Motor Accidents Claims Tribunal-cum-Additional District Court, Dharmapuri. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

The Motor Accidents Claims Tribunal-
cum-Additional District Court,
Dharmapuri.

+1 cc to Mr.V.Udayakumar,advocate,sr.68565.

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