



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Eighteenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CMA(MD) No.1258 of 2016
and
C.M.P.(MD).No.10761 of 2016

Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Division,
Having its office at:
Peryamilaguparai,
Tiruchirappalli.

... Appellant

vs.

1.Senthamarai Selvi

2.Minor Lakshmi Narayanan
S/o. Late Raj Kumar,
(The minor 2nd respondent is
represented by next friend
and mother 1st respondent)

... Respondents

This Civil Miscellaneous Appeal under Section 173 of Motor Vehicles Act, 1988 has been filed against the judgment and Decree dated 03.12.2015, made in MCOP.No.339 of 2014, on the file of the Motor Accidents Claims Tribunal, (Special District Judge), Tiruchirappalli.

DECREE: This Appeal coming on for hearing on this day,

Upon perusing the Grounds of Appeal, the judgment and Decree of the Lower Court and the material papers in the Appeal and upon hearing the arguments of Mr.P.Prabhakaran Advocate for the Appellant, this Court, while dismissing the Appeal, doth order and decree as follows;

1. that the order and decree dated 03.12.2015 made in M.C.O.P.No.339 of 2014 on the file fo the Motor Accidents Claims Tribunal, (Special District Judge), Tiruchirapalli, be and hereby are confirmed and the Civil Miscellaneous Appeal is dismissed;

2. That the appellant Insurance Company be and here by is directed to deposit the entire award amount with proportionate accrued interest and costs if not already deposited within a period of four weeks from the date of a copy of this order;

3. That on such deposit being made the 1st respondent/Claimant is permitted to withdraw her respective share as per the



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apportionment made by the Tribunal with proportionate accrued interest of the minor once in three months directly from the bank, only for the welfare of minor; and

4. that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (Co)

/True copy/

Sub Assistant Registrar

To

1. The Motor Accident Claims Tribunal,
(Special District Judge),
Tiruchirappalli.

2. The Section Officer,
V.R. Section,
Madurai Bench of
Madras High Court,
Madurai.

+1 cc to Mr. P. Prabhakaran, Advocate, SR.NO. 70511

ORDER DATED : 18/11/2016
DECREE

CMA (MD) No. 1258 of 2016
and

M.P. (MD) No. 10761 of 2016

Nature of DECREE: Dismissing this Civil Miscellaneous Appeal preferred against judgment and decree passed by Motor Accident Claims Tribunal, (Special District Judge, Tiruchirappalli made in MCOP No. 339 of 2014 dated 03.12.2015 etc., as stated within.

SMA:SS3/SAR-2:3p/4c/18.01.2017