



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

Wednesday, the Twenty First day of December Two thousand and sixteen

WEB COPY

PRESENT

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MRS. JUSTICE J.NISHA BANU

C.M.A. (MD) Nos.134 of 2015

The Managing Director,
Tamil Nadu Transport Corporation,
New junction Road,
Kumbakonam Kottam.

.. Appellant/ Respondent

Vs.

Sivakumar

.. Respondent/ Petitioner

Prayer:- Civil Miscellaneous Appeal has been filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 30.04.2014, made in M.C.O.P.No.143 of 2014, on the file of the Motor Accidents Claims Tribunal cum Special Sub Court, Thanjavur.

Order:- This Civil Miscellaneous Appeal is coming on for orders on this day and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in these Appeals and upon hearing the argument of Mr.P.Prabakaran, Advocate for Appellant and of Mr.S.Rajaprabhu, Advocate for the respondent and this Court while allowing the Appeal in part and in modification of the award of the tribunal below, doth order and decree as follows:

1. That the quantum of compensation awarded by the Motor Accident Claims Tribunal cum Special subordinate Court, Thanjavur be and is hereby reduced from **Rs.33,73,000/-** to **Rs.24,00,000/-** (Rupees Twenty four lakhs).

2. That the appellant / Transport Corporation be and is hereby directed to deposit the entire award amount with 7.5% interest per annum from the date of petition till the date of deposit, less the amount already deposited, if any, before the Tribunal, within a period of six weeks from the date of receipt of a copy of this judgment.



3. That the excess amount if any had already been deposited by the appellant / Transport Corporation, the same shall be withdrawn.

4. That on such deposit being made, the claimant be and hereby is permitted to withdraw the same.

5. That there be no costs in this Civil Miscellaneous Appeal.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

The Special Subordinate Court,
The Motor Accidents Claims Tribunal,
Thanjavur.

Copy to

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.P.Prabhakaran, SR NO:82413

Dated : 21.12.2016

DECREE

C.M.A. (MD) Nos.134 of 2015

Nature of the DECREE:

Allowing in appeal in part preferred against the Judgment and decree dated 30-04-2014 made in M.C.O.P.No.143 of 2014 in the file of the Motor Accident Claims Tribunal cum Special Subordinate Court, Thanjavur.