



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

Friday, the Twenty Ninth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CMA(MD) No.737 of 2016

TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
KUMBAKONAM DIVISION-3) LTD, KARAIKUDI,
MARTHUPATHY, KARAIKUDI,
SIVAGANGAI DIST.

...APPELLANT/2ND RESPONDENT

Vs

1 NALLAMMAL
2 PONNAMMAL
3 VALARMATHY
4 SUBBIAH
5 SENTHIL KUMARAN

...1ST RESPONDENT/1ST PETITIONER
...2ND RESPONDENT/2ND PETITIONER
...3RD RESPONDENT/3RD PETITIONER
...4TH RESPONDENT/4TH PETITIONER

(R5 IS A DRIVER OF THE APPELLANT, APPEAL ON QUANTUM
HENCE NOTICE GIVEN UP)

...5TH RESPONDENT/1ST RESPONDENT

PRAYER : Civil Miscellaneous Appeal filed Under Section 173 of the Motor Vehicle Act 1988, against the Judgment and Decree dated 1.02.2011 made in M.C.O.P.No.45 of 2010 on the file of Motor Accident Claims Tribunal cum Sub Court, Devakottai.

DECREE : 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 this appeal and upon hearing the arguments of Mr.M.Prakash, Advocate for the appellant, and the respondents not appearing in person or by an advocate and of and this Court doth order and decree as follows :

i)that the Judgement and Decree passed by the Motor Accidents Claims Tribunal cum Subordinate Judge, Devakottai dated 01/02/2011 made in M.C.O.P.No. 45 of 2010 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

ii)that the Appellant/Transport Corporation is be and hereby directed to deposit the entire amount together with interest and cost, within a period of eight weeks from the date of



receipt of the copy of this order, if not already deposited.

iii) that on such deposit being made, the claimants are permitted to withdrawn the entire award amount, without filing any formal application before the Tribunal.

iv) that there be and hereby no costs in this Civil Miscellaneous Appeal.

sd/-
Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

TO

THE SUBORDINATE JUDGE,
(MOTOR ACCIDENTS CLAIMS TRIBUNAL)
DEVAKOTTAI.

COPY TO :-

THE SECTION OFFICER,
V.R. SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to M/S.M.PRAKASH Advocate SR.No. 41037

ORDER DATED : 29.07.2016

D E C R E E

CMA(MD) No.737 of 2016

Dismissing the appeal preferred against the Judgement and Decree passed by Motor Accident Claims Tribunal cum Sub Judge, Devakottai dated 01.02.2011 made in M.C.O.P.No. 45 of 2010 and etc., as stated within.