

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2017

CORAM

THE HONOURABLE DR.JUSTICE.S.VIMALA

C.M.A. No. 1476 of 2017

1. K. Pushpa
2. M.Kannan
3. K. Kavitha .. Appellants/Petitioners

Vs

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Villupuram Division III,
Kancheepuram - 631 502. ... Respondents

Civil Miscellaneous Appeal filed under section 173 of the Motor Vehicles Act, 1988, against the decree and Judgment dated 18.04.2016 passed in MCOP No.4551/2012 on the file of the Motor Accident Claims Tribunal cum II Judge, Small Causes Court, Chennai.

For Appellants : Mr.S.Ravikumar

JUDGMENT

This Civil Miscellaneous Appeal has been filed by the Appellants/claimants seeking enhancement of the compensation.

2. As against the claiming made for a sum of Rs.20,00,000/- the tribunal passed an award for a sum of Rs.23,50,000/-. Claiming Rs.3 lakhs more, the claimants have filed this appeal in CMA No.1476 of 2017.

3. The Transport Corporation has filed the appeal challenging the award as excessive and disproportionate in CMA No.1184 of 2017, and the Hon'ble Division Bench of this Court by the order dated 10.04.2017, after hearing the appeal has chosen to reduce the compensation from 23,50,000/- to Rs.22,77,000/-. Challenging the reduction, the claimants have not filed any appeal before the Hon'ble Supreme Court.

4. The appeal filed by these claimants is not maintainable, since, as against the order passed by the Division Bench, the Single Bench has no jurisdiction to enhance/reduce/revise the quantum of compensation. Thus, the appeal has no merits and it is liable to be dismissed.

5. In the result, the appeal is dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msm/ksa

To

The II Judge,
Motor Accidents Claims Tribunal,
Small Causes Court, Chennai.

+1cc to Mr.S.Ravi Kumar, Advocate SR.No.39798

MSM(CO)
GN(09/08/2017)

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सत्यमेव जयते

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