

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2017

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THE HONOURABLE MS.JUSTICE R.MALA

Civil Revision Petition (NPD) Nos.3210 to 3213 of 2014
and
M.P.Nos.1 to 1 of 2014

The Managing Director,
Tamil Nadu State Transport
Corporation Limited,
Dharmapuri

... Petitioners in all W.Ps.

..Vs..

1.Minor Nathiya
Minor rep.her Guardian
and Father Gandhi
2.The Managing Director,
Karnataka State Road Transport
Corporation Limited,
Bangalore, Karnataka State.

... Respondents in CRP(NPD) No.3210 of 2014

1.Govindhammal
2.The Managing Director,
Karnataka State Road Transport
Corporation Limited,
Bangalore, Karnataka State.

...Respondents in CRP(NPD) No.3211 of 2014

1.Pachaiyammal
2.The Managing Director,
Karnataka State Road Transport
Corporation Limited,
Bangalore, Karnataka State.

...Respondents in CRP(NPD) No.3212 of 2014

1.Gopal
2.The Managing Director,
Karnataka State Road Transport
Corporation Limited,
Bangalore, Karnataka State.

...Respondents in CRP(NPD) No.3213 of 2014

Prayer in CRP(NPD) No.3210 of 2014: This Civil Revision Petition has been filed under Article 227 of Constitution of India, against the Judgment and decree dated 04.04.2013 made in M.C.O.P.No.311 of 2011 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Tiruvannamalai.

Prayer in CRP(NPD) No.3211 of 2014: This Civil Revision Petition has been filed under Article 227 of Constitution of India, against the Judgment and decree dated 04.04.2013 made in M.C.O.P.No.314 of 2011 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Tiruvannamalai.

Prayer in CRP(NPD) No.3212 of 2014: This Civil Revision Petition has been filed under Article 227 of Constitution of India, against the Judgment and decree dated 04.04.2013 made in M.C.O.P.No.315 of 2011 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Tiruvannamalai.

Prayer in CRP(NPD) No.3213 of 2014: This Civil Revision Petition has been filed under Article 227 of Constitution of India, against the Judgment and decree dated 04.04.2013 made in M.C.O.P.No.327 of 2011 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Tiruvannamalai.

For petitioner	: Mr.D.Venkatachalam
For R1	: No appearance
For R2	:Mr.T.Thiyagarajan

ORDER

Heard both sides.

2. The learned counsel for the petitioner and the learned counsel for the second respondent would submit that the claimant has filed claim petition seeking damages from both the first and second respondent-Transport Corporations, for having sustained injuries in the accident that had taken place on 30.10.2010.

3. After contest, the Tribunal has fixed the negligence at 50% each in respect of both the Transport Corporations and ordered at 50% to be paid by the petitioner-Tamil Nadu State Transport Corporation and the second respondent-Karnataka State Road Transport Corporation. Challenging the same, the present revision petitions are filed by the Tamil Nadu State Transport Corporation.

4. At the time of arguments, both sides fairly conceded in this case that the accident is a head-on-collision of both the transport vehicles. Challenging the same, the claimant has filed claim petition and in that award has been now passed, against which, Civil Miscellaneous Appeal has been filed before this Court, in which, this Court by judgment dated 30.06.2014, upheld the award of the Tribunal. It is stated that both the Transport Corporations are ready to pay the 50% each, as confirmed by this Court in the said appeal, against which no one has preferred any further appeal. It is further stated that the issue raised in these C.R.Ps. is covered by a judgment rendered by this Court reported in CDJ 2014 MHC 3705 [The Managing Director, Karnataka State Road Transport Corporation Limited, Bangalore Central Division Versus Minor Jagadeesan (Represented by his next friend and National father, Mr.Dhandapani) & Another)]. Hence both counsel wants to confirm the award.

R.MALA,J.,

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5. Considering the above said decision of this Court reported in CDJ 2014 MHC 3705 (cited supra), in which also, the negligence for both the Transport Corporations have been fixed at 50% each and the compensation was also awarded therein, thereby, the award passed by the tribunal was confirmed by this Court.

6. The above decision of this Court squarely applies to the present revision petitions. Accordingly, this Court dismisses these revision petitions. No costs. Consequently, connected Miscellaneous Petitions are closed.

05.01.2017

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To

The Chief Judicial Magistrate Court, Tiruvannamalai

CRP (NPD) Nos.3210 to 3213 of 2014 aand
M.P.Nos.1 to 1 of 2014

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