

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2017

CORAM:

THE HON'BLE Dr. JUSTICE S.VIMALA

Civil Miscellaneous Appeal No.2151 of 2017
and C.M.P.No.11401 of 2017

The Managing Director,
Tamil Nadu State Transport Corporation,
Kancheepuram

... Appellant

..VS..

Passiammal

... Respondent

Appeal filed under Section 173 of Motor Vehicles Act 1988,
against the decree and Judgment, dated 28.09.2007, made in
M.C.O.P.No.207 of 2006 on the file of the Motor Accident Claims
Tribunal, Subordinate Court, Madurantagam.

For Appellant : Mr. S.V.Vasanthakumar

J U D G M E N T

As against the claim made for a sum of Rs.1,00,000/- by the
injured / claimant, the Tribunal has passed an award for a sum of
Rs.25,000/-. Challenging the same, the Transport Corporation has
filed this Appeal.

2. The main contention raised by the learned counsel for the appellant / Transport Corporation is that, for the simple injury sustained over the left eyebrow by the claimant, the compensation of Rs.25,000/- is exorbitant and as the award is unwarranted, the quantum requires interference by this Court.

3. A perusal of the award passed by the Tribunal would go to show that the claimant has suffered injury over the left eyebrow in respect of which she is stated to have taken treatment at Government Hospital, Maduranthagam, and later on, at Government General Hospital, Chennai. The accident register copy has been filed as Ex.A-2 and wound certificate has been filed as Ex.A-3.

4. From the materials placed before the Tribunal, it has chosen to award a sum of Rs.25,000/-, without any break up details. Had there been break up details, it would have been helpful for this Court to find out the justifiability of the award.

4.1. However, the fact remains that the accident had taken place in the year 2006. After a period of eleven years, it may not be proper to interfere with the quantum of compensation of Rs.25,000/-, especially, when the prices have escalated manifold and there is reduction in the value of money. Having regard to the

lapse of time, this Court is not in a position to interfere with the quantum of compensation awarded.

5. In view of the above, the Appeal has no merits and therefore, this Civil Miscellaneous Appeal is dismissed.

6. The appellant / Transport Corporation is directed to deposit the compensation amount, as awarded by the Tribunal, along with interest at 7.5% per annum, less the amount already deposited, if any, from the date of petition till the date of deposit, within a period of six weeks from the date of receipt of a copy of this judgment. On such deposit being made, the Tribunal shall transfer the amount to the Savings Bank Account of the injured / claimant, forthwith. No costs. Consequently, the connected CMP is closed.

सत्यमेव जयते

10.07.2017

Index : Yes / No

Web : Yes / No

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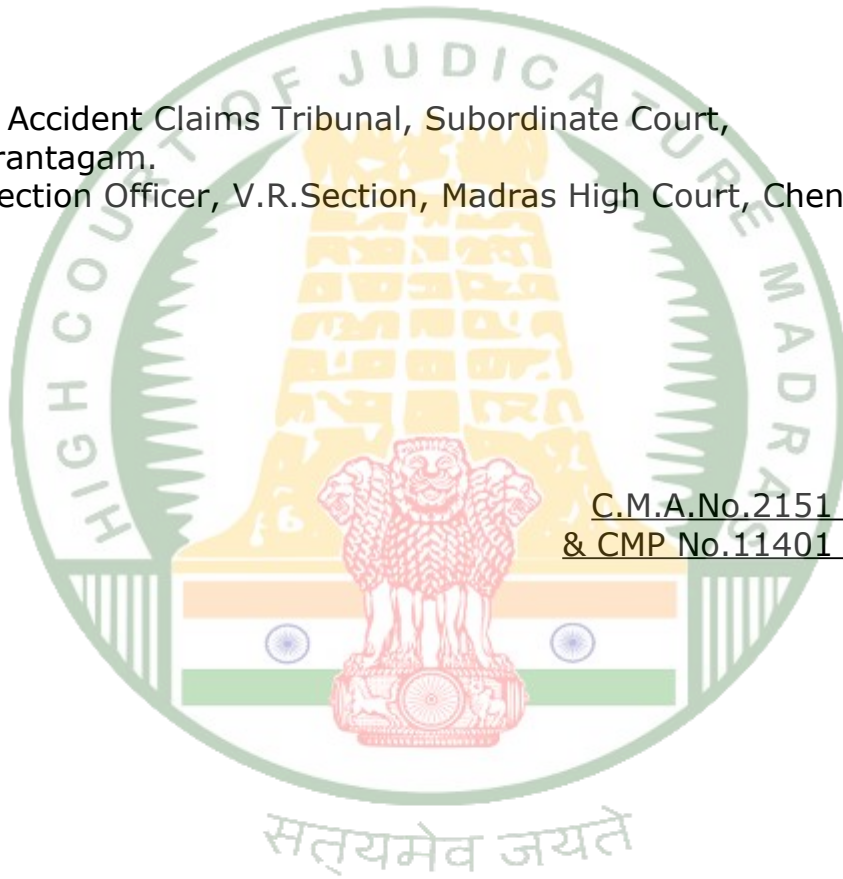
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S.VIMALA, J.,

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To

1. Motor Accident Claims Tribunal, Subordinate Court,
Madurantagam.
2. The Section Officer, V.R.Section, Madras High Court, Chennai 104



C.M.A.No.2151 of 2017
& CMP No.11401 of 2017

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