



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

Tuesday, the Fourteenth day of November Two Thousand Seventeen

PRESENT

**The Hon`ble Mr.Justice G.R.SWAMINATHAN**

CMA(MD) No.10 of 2015

TAMIL NADU STATE TRANSPORT CORPORATION,  
THROUGH ITS GENERAL MANAGER,  
MARUDHUPATHI, KARAUKUDI TALUK,  
SIVAGANGAI DISTRICT.

... Appellant

Vs

THENAPPAN,

... RESPONDENT

This Civil Miscellaneous Appeal have been filed under Section 173 of Motor Vehicle Act, 1988 against the Award passed by the Motor Accident Claims Tribunal, Subordinate Judge, Devakottai in M.C.O.P.No.106 of 2011 dated 14.02.2013.

DECREE : This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the Grounds of Appeal, the award of the Motor Accident Claims Tribunal, Subordinate Judge, Devakottai and the material papers in the Appeal and upon hearing the arguments of Mr.D.Sivaraman, Advocate for the Appellant and Mr.V.Sankara Pandian, Advocate for first respondent, while modifying the award of the Tribunal, this Court doth order and decree as follows :

1. that the Award dated 14.02.2013 passed in M.C.O.P.No.106 of 2011 by the Subordinate Judge, Motor Accidents Claims Tribunal, Devakottai, be and hereby are modified and the Civil Miscellaneous Appeal is partly allowed;

2. that the Award passed by the Tribunal is reduced from Rs.1,85,511/- to a sum of Rs.1,39,133/- (Rupees One Lakh thirty thousand one hundred and thirty three only) along with interest at the rate of 7.5% per annum from the date of petition till date of realization within a period of eight weeks from the date of receipt of a copy of this order, less the amount already deposited, if any.

3. On such deposit made, the respondent is entitled to withdraw the same, less the amount already withdrawn by him, if any, by filing proper application before the Tribunal;



4. that there be no costs in this Civil Miscellaneous Appeal.

/True Copy/

sd/-

Assistant Registrar

Sub Assistant Registrar

**tsg**

tsg

To

1.The Subordinate Judge, Motor Accidents Claims Tribunal,  
Devakottai.

Copy to : The Section Officer, V.R. Section,  
Madurai Bench of Madras High Court,  
Madurai.

+2CC to Mr.D.Sivaraman, Advocate Sr.No.86823, 87425

+1CC to Mr.V.Sankarapandian, Advocate Sr.No.87520

GJM/KK/SAR-3-21.12.2017-2p-6c

DECREE

IN

CMA(MD) No.10 of 2015

Date :14/11/2017

Partly Allowing the Appeal preferred  
against the Order and decree of the  
Motor Accidents Claims Tribunal,  
Subordinate Judge, Devakottai dated  
14.02.2013 made in  
M.C.O.P.No.106/2011.