



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twenty Sixth day of October, Two Thousand and
Seventeen

WEB COPY

PRESENT

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.A. (MD) No.1224 of 2015

The Managing Director,
Tamil Nadu State Transport Corporation,
New Junction Road, Kumbakonam. ... Appellant/Respondent.

Vs.

Karuna Moorthy ... Respondent/Petitioner.

Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, preferred against the award passed by Special Subordinate Judge, Motor Accidents Claims Tribunal, Thanjavur, dated 17.02.2015 made in MCOP.No.828/2012.

DECREE: This Appeal is coming on for hearing on this day, upon perusing the grounds of Appeal, award of the Tribunal below and the material papers of the Appeal and upon hearing the arguments of Mr.P.Prabhakaran, Advocate for the Appellant and the Respondent not appeared either in person or by an advocate, this Court while allowing the Appeal partly and in modification of the award of the Tribunal below, doth order and decree as follow;

(i) That, the award passed by the Special Subordinate Judge, Motor Accidents Claims Tribunal, Thanjavur, dated 17.02.2015 made in MCOP No.828/2012 be and hereby is modified;

(ii) That, the award of the Tribunal be and hereby is reduced from Rs.15,85,000/- to Rs.8,03,000/- (Rupees Eight Lakhs Three Thousand Only);

(iii) That, the Appellant herein/Respondent be and hereby is directed to deposit the compensation amount with interest at the rate of 7.5% per annum and costs from the date of petition till date of realization, within a period of twelve weeks from the date of receipt of a copy of this order, if the same is not deposited;

(iv) That, on such deposit, the Claimant be and hereby is entitled to withdraw the same, less the amount already withdrawn by him, if any by filing proper application before the Tribunal;



(v) That, the Appellant be and hereby is entitled to withdraw the balance amount, if any and

(vi) That, there be no costs in this Civil Miscellaneous Appeal.

/True Copy/

Sd/-

Assistant Registrar(C.O.)

Sub Assistant Registrar

To

The Motor Accidents Claims Tribunal/Special Sub Court, Thanjavur.

Copy to:

1. The Record Keeper, V.R. Section

Madurai Bench of Madras High Court, Madurai.

2. Karuna Moorthy, S/o. Nagu, Arjunar Patti, Maraiyeripatti Post, Thanjavur District.

+1CC to Mr. P. Prabhakaran, Advocate, SR.No. 83682.

DATED : 26/10/2017

DECREE

C.M.A.(MD) No. 1224 of 2015

Allowing the Appeal in part and in modification of the award passed by the Special Sub Judge, Motor Accidents Claims Tribunal, Thanjavur, dated 17/02/2015 made in MCOP No. 828/2012 and etc., as stated within.

KK/SV MMS/SAR 2/30.11.2017/2P/5C