



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

TUESDAY, THE SEVENTH DAY OF MARCH TWO THOUSAND AND SEVENEEN

PRESENT

THE HONOURABLE MS.JUSTICE **V.M.VELUMANI**

C.M.A.(MD)No.161 of 2014

AND

Cross Objection (MD)No.25 of 2014

Tamil Nadu State Transport Corporation,
Tiruchy,
Through its
Managing Director

... Appellant/Respondent

Vs.

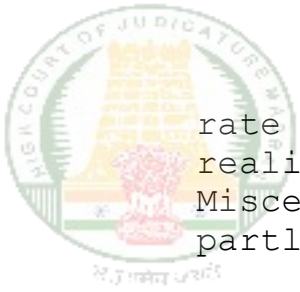
1.S.Ameena Begam
2.S.Rekhan Parveen
3.S.Barakath Nisha
4.S.Abbas
5.V.Aseesha

... Respondents/Appellants

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 as against Cross Appeal filed under Order 41 Rule 22 of the Code of Civil Procedure as against the judgment and decree made in M.C.O.P.No.30 of 2013 dated 02.08.2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Madurai.

DECREE: This Civil Miscellaneous Appeal and Cross objection coming on for hearing on this day. Upon perusing the Grounds of Appeal, Cross objection petition the order of the Tribunal and the material papers in this appeal and Cross objection upon hearing the arguments of Mr.P.Prabhakaran, Learned Advocate for the Appellant in Civil Miscellaneous Appeal and Respondent in Cross Objection and of Mr.K.Kumaravel, Learned Advocate for the Respondents in Civil Miscellaneous Appeal in Cross Objection, while dismissing the Civil Miscellaneous Appeal and modifying the award passed by the Tribunal below and allowing in part the Cross Objection, this Court doth order and decree as follows:-

(i) that the award of Compensation made in the judgment and decree of the Motor Accident Claims Tribunal/Special District Court, Madurai dated 02.08.2013 made in M.C.O.P.No.30 of 2013, be and hereby in enhanced from Rs.4,80,600/- (Rupees Eighty thousand six hundred only) to a sum of Rs.5,68,148/- (Rupees five lakhs Sixty Eight thousand one hundred and Forty Eight only) along with interest at the



rate of 7.5 per annum from the date of petition till date of realisation and proportionate costs, and the Civil Miscellaneous Appeal is dismissed and the cross objection is partly allowed.

(ii) that the Respondents 1 to 5 herein/Claimants be and hereby are entitled to the compensation as per the apportionment made by the Tribunal.

(iii) that the Respondents 1 to 5 herein/Claimants are directed to submit their savings Bank Account Details along with the copies of passbooks to the Tribunal forthwith.

(iv) that the Appellant/Transport Corporation, be and hereby is directed to deposit the entire award amount along with accrued interest and costs, less the amount already deposited, if any to the credit of M.C.O.P.No.30 of 2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Madurai. Within a period of eight weeks from the date of receipt of a copy of this judgment.

(v) that on such deposit, the tribunal be and hereby is directed to transfer the respective share amounts of the Respondents 1 to 5 herein/Claimants directly to their personal savings Bank Account through RTGS/NEFT system after getting their Account Details within a period of two weeks thereafter.

(vi) And that there be no costs in this Appeal.

Sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The Motor Accident Claims Tribunal - cum -
Special District Judge, Madurai.

Copy to:

The Record Keeper,
V.R. Section,

<https://hcserv.mca.gov.in/Research/> of Madras High Court,
Madurai.



+1cc to M/S.P.Prabhakaran, Advocate SR.No.13041
+1cc to M/S.K.Kumaravel, Advocate SR.No.13239

WEB COPY

DECREE

C.M.A. (MD) No.161 of 2014

Nature of the Decree:- While dismissing the Civil Miscellaneous Appeal and modifying the award passed by the Tribunal as against the judgment and decree dated 02.08.2013 made in M.C.O.P.No.30 of 2013 dated 02.08.2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Madurai.

JM/SV MMS/04.04.2017/3P/5C