



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Monday, the Thirteenth day of November, Two thousand and Seventeen
PRESENT
THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

WEB COPY

C.M.A. (MD) No. 254 of 2016

The Managing Director,
Tamil Nadu State Transport Corporation,
Byepass Road,
Madurai.

... Appellant / Respondent

Vs.

Jegan Babu

... Respondent / Petitioner

Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, preferred against the award passed by the Special Subordinate Judge, Motor Accident Claims Tribunal, Tirunelveli dated 31.01.2014 made in M.C.O.P. No. 694 of 2013.

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 in part and in modification of the award of the Tribunal below, doth order and decree as follows;

i) That the respondent/Claimant be and hereby is entitled to 7.5% interest per annum instead of 9% interest as awarded by the Tribunal.

ii) That in other respondents the award passed by the Tribunal below be and hereby is confirmed.

iii) That the appellant herein /Transport Corporation be and hereby is directed to deposit the entire compensation amount of Rs. 5,81,326/- with interest at the rate of 7.5% per annum with costs, from the date of petition till the date of realization within a period of eight weeks from the date of receipt of a copy of this order, till the amount already deposited, if any;

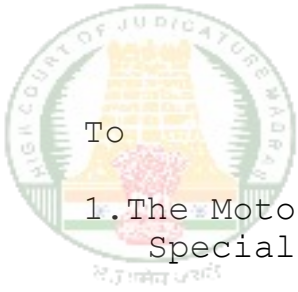
iv) That, on such deposit, the respondent/Claimant be and hereby is entitled to withdraw the same, less the amount already withdrawn by him, if any, by filing proper application before the Tribunal and

v) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (AS)

/True copy/



To

1. The Motor Accidents Claims Tribunal/
Special Sub Court, Tirunelveli.

2. The Section officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

Jegan Babu,
S/o. Babu,
B.J.P. Illam,
Marayapuram,
Kochavillai,
Kappukadu Post,
Marthandam,
Kanyakumari.

Now residing at Kavitha Nagar, Tirunelveli.

+1cc to Mr. P. PRABHARAKARAN, Advocate, SR. 86798

+1cc to Mr. V. SASIKUMAR, Advocate, SR. 86755

DATED: 13/11/2017

DECREE

C.M.A. (MD) No. 254 of 2016

Allowing the Appeal in
part preferred against the
award passed by the Special
Subordinate Judge, Motor
Accident Claims Tribunal,
Tirunelveli, dated 31/01/14
made in MCOP No. 694/13 etc as
stated within.

KK/SV MMS/SAR 1/26.12.2017/ 2P- 6C/