



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 19.12.2017

CORAM :
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
C.M.A. (MD) No.306 of 2016
and
CMP (MD) no.4346 of 2016

The Managing Director,
Tamil Nadu State Transport Corporation,
Thirumayam Road,
Pudukkottai.

... Appellant

Vs.

1.Rajendran
2.Minor Sri Ram
3. Minor Abishek
(Minors are rep.through their
father and natural guardian,
1st respondent)

... Respondents

Prayer: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 29.10.2015 made in MCOP.No.583 of 2014 on the file of the Motor Accident Claims Tribunal / Principal District Court, Pudukkottai.

For Appellant : Mr.D.Sivaraman
For Respondents : Mr.K.N.Govardhanan

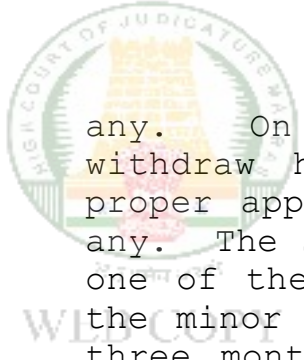
JUDGMENT

The Transport Corporation has filed this appeal questioning the impugned award on the ground of quantum.

2.The deceased was the wife of the first claimant, first respondent herein and mother of the two minor children. A sum of Rs.12,91,000/- was awarded as compensation with interest. The age of the deceased was 30 years at the time of the accident. Therefore, by no stretch of imagination can the amount awarded as compensation be said to be excessive. I find no merit in this appeal. The appeal is liable to be dismissed.

3.The award dated 29.10.2015 made in MCOP No.583 of 2014 on the file of the Motor Accident Claims Tribunal / Principal District Court, Pudukkottai is confirmed.

4.The appellant transport corporation is directed to deposit the entire compensation amount with interest at the rate of 7.5% per annum from the date of petition till the date of realization and costs, within a period of eight weeks from the date of receipt of a copy of this order, less the amount already deposited, if



any. On such deposit, the first respondent is entitled to withdraw his share as apportioned by the Tribunal, by filing proper application, less the amount already withdrawn by him, if any. The shares of the minor children shall be deposited in any one of the nationalised bank and the first respondent, father of the minor children is permitted to withdraw the interest once in three months directly from the bank, till the minors are attain majority.

5.This appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Principal District Judge,
Motor Accident Claims Tribunal, Pudukkottai.
2. The Record Keeper, V.R.Section, (2 copies)
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.D.Sivaraman, Advocate Sr.No.93641

+1cc to Mr.K.N.Govardhanan, Advocate Sr.No.93627

SKM

VB/KAK/SAR4/13.08.2018/2P/6C

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