



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A.(MD).No.303 of 2015

M/s.Tamil Nadu State Transport Corporation Limited

No.1, Periyamilaguparai,

Contonment, Trichy.

... Appellant/Respondent

Vs.

1.Tmt.Mohana

2.Minor Kowsaliya

3.Minor Vaishnavi

4.Minor Komala

(Minor respondents 2,3 and 4 are
represented by their mother
and guardian the 1st respondent)

...Respondents/Petitioners

PRAYER : This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicle Act, against the Judgment and decree in M.C.O.P No.690 of 2009, dated 21.09.2012 on the file of the Motor Accident Claims Tribunal/ III Additional District Court, Tiruchirappalli.

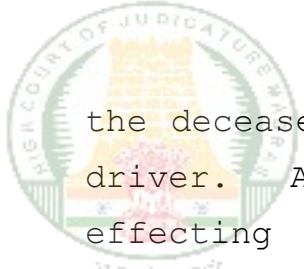
For Appellants : Mr.P.Prabhakaran

For Respondents : No Appearance

JUDGMENT

The Transport Corporation has filed this appeal on the ground of quantum of compensation.

2. An accident that took place on 18.05.2008. The deceased Kalaimuthu was travelling as a passenger in the bus of the appellant Corporation. On account of rash and negligent driving of the bus driver, the deceased was thrown out from the bus and sustained fatal injuries. The claimants are the wife and three minor children of



the deceased. The Tribunal rightly fixed the negligence on the bus driver. After fixing the monthly income at Rs.4,500/- and after effecting the correct deduction, the Tribunal applied the right multiplier. The sum of Rs.5,25,000/- was awarded as compensation with interest at the rate of 7.5% per annum. The said amount cannot be said to be excessive. I am, therefore, not inclined to interfere with the award passed by the Tribunal.

3.This Civil Miscellaneous Petition is dismissed accordingly. No costs.

Sd/-
Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar

To

The III Additional District Judge,
Motor Accident Claims Tribunal
(III Additional District Court), Tiruchirappalli.

Copy to:

The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.P.Prabhakaran, Advocate, SR.No. 85805

C.M.A. (MD) .No.303 of 2015
07.11.2017

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