



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Twentieth day of November, Two thousand and Seventeen
PRESENT

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A.(MD)No.335 of 2016

M/s.Tamil Nadu State Transport Corporation
(Kumbakonam Division)
represented by its Managing Director,
Periyamilaguparai, Contonment,
Tiruchirappalli - 620 001. ... Appellant/Respondent

Vs.

Mohammed Imran ... Respondent/Petitioner

Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree dated 09.03.2015 made in M.C.O.P.No.1241 of 2009 passed by the Motor Accident Claims Tribunal/III Additional Sub Court, Tiruchirappalli.

DECREE: This Civil Miscellaneous Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the order of the Lower Court, and the material papers relating to this case and upon hearing the arguments of Mr.P.Prabhakaran, Advocate for the Appellant and of Mr.N.Sudhagar Nagaraj, Advocate for the respondent and this Court while allowing this Appeal in part with modification doth order and decree as follows:

i)That the Compensation awarded by the Motor Accident Claims Tribunal/III Additional Sub Court, Tiruchirappalli made in MCOP No.1241/09 dated 09.03.15 be and hereby is modified and the Civil Miscellaneous Appeal is allowed in part.

ii)That the Compensation awarded by the Tribunal be and hereby is reduced from Rs.4,10,000/-(Rupees Four Lakhs Ten thousand only) to Rs.2,10,000/-(Rupees Two Lakhs Ten thousand only) as modified Compensation.

iii)That the Appellant herein /Transport Corporation herein be and hereby 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 the period of Twelve(12)Weeks from the date of receipt of Copy of this order, less the amount already deposited, If any.

iv)That on such deposit, being made the Claimant herein be and hereby is permitted to withdraw the entire award amount, less the amount already withdrawn by him, if any, by filing proper application before the Tribunal.



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

Assistant Registrar (CS-III)

/True copy/

WEB COPY

To

Sub Assistant Registrar

III Additional Sub Judge, The Motor Accident Claims Tribunal
Tiruchirappalli.

Copy to : The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. P. Prabhakaran, Advocate, SR. 88362

+1cc to Mr. N. Sudhagar Nagaraj, Advocate, SR. 88457

DATED: 20.11.2017

DECREE

C.M.A. (MD) No. 335 of 2016

NATURE OF THE DECREE: Allowing this Appeal in part with modification preferred against the Award made in MCOP No 1241/09 dated 09.03.15 passed by the Motor Accident Claims Tribunal/III Additional Sub Court, Tiruchirappalli etc as stated within.

KK/SV MMS/SAR 1/27.12.2017/ 2P- 5C