



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Tenth day of January Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice R.SUBBIAH

and

The Hon`ble Mrs.Justice J.NISHA BANU

CMA(MD) No.543 of 2014
and CMA(MD)No.206 of 2016

The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam,
Kumbakonam - 612 001.

.. Appellant in
C.M.A.(MD)No.543 of 2014/Respondent
and
.. Respondent in
C.M.A.(MD).No.206 of 2016/Respondent.
Vs.

1.Jamuna Rani
2.Minor Jaisundar
3.Minor Jeya Sree
4.Thaiyalnayagi
5.Vaiyapuri

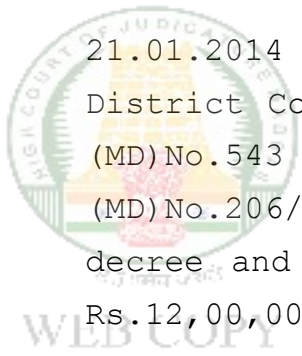
.. Respondents in
C.M.A.(MD)No.543 of 2014/Petitioners
and
.. Appellants in
C.M.A.(MD).No.206 of 2016/Claimants

(The 2nd and 3rd respondents are Minors represented by their
mother and natural guardian, the first respondent herein)

Appeal against the Judgment and Decree passed in M.C.O.P.No.167/2011
dated 21.02.2014 on the file of the Motor Accidents Claims
Tribunal/Special District Court, Thanjavur.

DECREE : This Appeal coming on for hearing on this day upon perusing
the grounds of Appeal, the order of the Lower Court, material papers
and upon hearing the arguments of Mr.P.Prabhakaran, Advocate for the
Appellant and in CMA(MD)No.543/2014 and Respondents in CMA(MD)
No.206/2016 and of Mr.G.Karnan, Advocate for the Respondents in CMA(MD)
No.543 of 2004 and Appellants in CMA(MD)No.206/2016 doth order and
decree as follows :

1. that the Civil Miscellaneous Appeal (MD)No.543 of 2014
<https://hcservices.ecourts.gov.in/hcservices/>
preferred By the Tamil Nadu State Transport Corporation, Kanyakumari
against the Judgment and decree passed in MCOP.No.167 of 2011 dated



21.01.2014 on the file of the Motor Accidents Claims Tribunal/Special District Court, Thanjavur in confirmed this Civil Miscellaneous Appeal (MD)No.543 of 2004 is hereby dismissed. The Civil Miscellaneous Appeal (MD)No.206/2016 preferred by the Claimants against the aforesaid decree and Judgment is allowed and is enhanced from Rs.7,87,000/- to Rs.12,00,000/-.

2. that the respondent Transport Corporation (in CMA(MD) No.206/2016) be and hereby is directed to deposit the entire be and hereby is directed to deposit the entire award amount with 7.5% interest per annum from the date of petition till the date of deposit less the amount already deposited if any before the Tribunal within a period of Six weeks from the dated receipt of a copy of this Judgment.

3. that the I Appellant (in CMA(MD)No.206/2016) be and hereby is entitled to get Rs.5,00,000/- the II & III Minor Appellants in CMA(MD) No.206/2016 the 2nd and 3rd Claimants are entitled to get Rs.2,50,000/- each.

4. that the 4th and 5th Appellant in CMA(MD)No.206/2016/4th & 5th be and hereby are entitled to get Rs.1,00,000/- each.

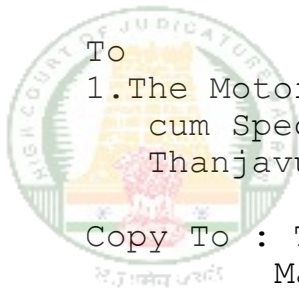
5. that the Appellant No's 1,4 and 5 in CMA(MD)No.206/2016 be and hereby are permitted to withdraw their entire respective share with proportionate interest and costs. So far as the 2nd 3rd Claimants are concerned.

6. that the Tribunal be and hereby is directed to deposit their respective shares of the II & III Appellants in CMA(MD)No.206/2016 to Claimants in any Nationalised Bank, till they attain majority and on such deposit the first claimant, who is the mother of the minors are permitted to withdraw the interest accrued therein once in three months for the upkeep and maintenance of the minor claimants.

7. that there be no costs in this Civil Miscellaneous Appeals.

sd/-

Assistant Registrar (CS-II)



To
1.The Motor Accidents Claims Tribunal
cum Special District Judge,
Thanjavur.

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

+2CC to Mr.P.Prabhakaran, Advocate Sr.No.1877, 1876

+1CC to Mr.G.Karnan, Advocate Sr.No.2048

GJM/MP/VR/31.1.17-3p-6C

DECREE

IN

CMA(MD) No.543 of 2014

and CMA(MD)No.206 of 2016

Date :10/01/2017

Nature of the DECREE : Dismissing
the Civil Miscellaneous Appeal
543/2014 and Allowing Civil
Miscellaneous Appeal against the
Judgment and Decree passed in
MCOP.NO.167/2011 dated 21.02.2014 on
the file of the Motor Accidents
Claims Tribunal Special District
Judge, Thanjavur and etc., as stated
within.