



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Third day of November Two Thousand and Seventeen

PRESENT

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.A. (MD) No. 356 of 2015

and

CROS.OBJ. (MD) No. 25 of 2017

The Managing Director,
Tamil Nadu State Transport Corporation,
Collector Office Road,
Periyamilaguparai,
Trichy-1.

...Appellant in C.M.A.No.356 of 2015
and Respondent in CROS.OBJ..No.25 of 2017
Vs.

1.S.Shanthanalakshmi

2.Minor S.Kaushik,

(Minor is represented through his mother and
Next friend Shanthalakshmi, the 1st respondent
herein)

3.M.Thangavel

4.T.Vairamani

...Respondents in C.M.A.No.356 of 2015
and Cross Appellants in CROS.OBJ.No.25 of 2017

Prayer in C.M.A.No.356 of 2015: This Appeal filed under Section 173 of Motor Vehicles Act, 1988, to set aside the judgment and decree passed by the the Motor Accidents Claims Tribunal/Special District Court, Tiruchirappalli, made in M.C.O.P.No.545/2013 dated 21.04.2014.

Prayer in CROS.OBJ..No.25 of 2017 : This Appeal filed under Order XLI, Rule-22 R/W Section-96(1) & (2) of C.P.C. to set aside the award dated 21.04.2014 passed in M.C.O.P.No.545 of 2013 on the file of the Motor Accidents Claims Tribunal, Special District Judge, Trichy in so far as the disallowed portion of compensation is concerned.

DECREE: This Appeal coming on for hearing on this day upon perusing the grounds of Appeal, the order of the Lower Court, and upon hearing the arguments of Mr.D.Sivaraman, Advocate for the appellant in CMA(MD)No.356 of 2015 and respondents 1 and 2 in Cross.objection No.25 of 2017 and Mr.M.Saravanan, Advocate for respondents 1 and 2 in CMA(MD)No.356 of 2015 and appellant in Cross.Objection 25 of 2017, and this Court doth order and decree as follows:-

<https://hcservices.ecourts.gov.in/hcservices/>

(1) That the award passed by the Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli dated 21.04.2014



made in MCOP No.545 of 2013, be and hereby confirmed and the Civil Miscellaneous Appeal and Cross Objections are dismissed;

(2) That the appellant be and hereby is directed to deposit the entire compensation amount of Rs.30,45,285/- 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, less the amount already deposited, if any;

(3) That on such deposit, the Claimants be and hereby are entitled to withdraw the same, as apportioned by the Tribunal, less the amount already withdrawn by him, if any, by filing proper application before Tribunal; and

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

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar

To

THE SPECIAL DISTRICT JUDGE, THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, TIRUCHIRAPPALLI.

COPY TO:

1. M.THANGAVEL, S/O. LATE MANICKAM, 81/85, E.B. COLONY, KAJAMALAI, TRICHY-21.
2. T. VAIRAMANI, W/O.THANGAVEL, 81/85, E.B.COLONY, KAJAMALAI, TRICHY-21.
3. THE RECORD KEEPER, VERNACULAR SECTION, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC to Mr.D.Sivaraman, Advocate, SR.No. 85243

+1CC to Mr.R.Subramanian, Advocate, SR.No. 85449

DATED : 03/11/2017

DECREE

C.M.A.(MD)No.356 of 2015 and
CROS.OBJ.(MD).No.25 of 2017

Nature of the DECREE:

Dismissing the Civil Miscellaneous Appeal and Cross Objection preferred against the award passed by the Motor Accident Claims Tribunal, Special District Judge, Tiruchirappalli, dated 21.04.2014 and made in MCOP No.543 of 2013, as stated within etc.,