



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

Friday, the Thirteenth day of October Two Thousand and Seventeen
PRESENT

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.A. (MD) No. 367 of 2015

1.S.Lakshmanan
2.L.Nagarathinam

...Petitioners/Appellants

Vs.

Tamil Nadu State Transport Corporation Ltd
by its Managing Director,
Railway Station Road,
Kumbakonam.

...Respondent/Respondent

Prayer:

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the judgment and decree dated 06.11.2002 and made in MCOP.No.133 of 2001 on the file of the Additional District cum Sessions Judge and Chief Judicial Magistrate, Thanjavore at Kumbakonam.

DECREE: This Civil Miscellaneous Appeal is coming on for hearing on this day and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in this Appeal and upon hearing the arguments of Mr.S.Siva Thilakar, Advocate for Appellants and of Mr.P.Prabhakaran, Advocate for the Respondent, this Court while allowing this appeal in part and in modification of the award of the tribunal this Court doth order and decree as follows:-

1. That the award passed by the Additional District cum Sessions Judge and Chief Judicial Magistrate, Thanjavur at Kumbakonam in MCOP.No.133/2001 dated 06.11.2002 be and hereby enhanced from 1,85,000/- to 3,29,000/- (Rupees Three Lakhs and Twenty Nine Thousand Only).



2. That the Respondent be and is hereby directed to deposit the balance amount within twelve weeks from today. That the amount carry interest at the rate of 7.5% per annum from the date of petition, till the date of realization.

3. That the interest payable for the period of delay occasion in re-presenting the papers, will have to be rejected.

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

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar.

To

The Additional District cum Sessions Judge and Chief Judicial Magistrate, Thanjavore at Kumbakonam.

Copy to:

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

+1CC to Mr.S.Siva Thilakar, Advocate, SR.No.82986

+1CC to Mr.P.Prabhakaran, Advocate, SR.No.82945

ORDER DATE : 13/10/2017
URGENT (TIME LIMIT)

DECREE

C.M.A.(MD)No.367 of 2015

Allowing the Appeal in part preferred against the Judgment and decree of Additional District cum Sessions Judge and Chief Judicial Magistrate, Thanjavur at Kumbakonam in MCOP.No.133 of 2001, dated 06.11.2002 etc., as stated within.