



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Thirty First day of August, Two thousand and Seventeen
PRESENT

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A (MD) No.672 of 2014

Valliammal

... Appellant/Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation,
Karaikudi.

... Respondent/Respondent

Civil Miscellaneous Appeal filed against the Judgment and decretal order dated 29.06.2012 and made in MACOP No.253 of 2005 on the file of the Motor Accidents Claims Tribunal, (Chief Judicial Magistrate), Dindigul.

Decree: This Appeal coming on for hearing on 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.M.Mohan Gandhi, Advocate for the Appellant and of Mr.P.Prabhakaran, Advocate for the Respondent and this Court while Allowing the Appeal and enhancing the compensation amount awarded by the Tribunal, doth order and decree as follows:-

(i) That the order and decree of the Motor Accidents claims Tribunal, (Chief Judicial Magistrate) Dindigul dated 29.06.2012 made in MACOP No.253 of 2005 be and hereby are modified and the compensation amount enhanced to Rs.6,37,340/- (Rupees Six lakhs Thirty Seven Thousand three hundred and forty only) from Rs.1,76,500/- along with interest at the rate of 7.5% per annum from the date of petition till date of realisation and proportionate costs.

(ii) That the Respondent herein/Transport Corporation be and hereby is directed to deposit the entire award amount of Rs.6,37,340/- (Rupees Six lakhs Thirty Seven Thousand three hundred and forty only) with accrued interests and costs, less the amount already deposited, if any within a period of eight weeks from the date of receipt of a copy of the Judgment.

(iii) That the Appellant/Petitioner do pay a sum of Rs.2,608/- (Rupees Two Thousand Six hundred and eight) towards the excess Court fee to the Government.

(iv) That on such payment of excess court fee being made, The Appellant herein/Claimant be and hereby is permitted to withdraw the



entire award amount, with accrued interests and costs, without filing any formal application before the tribunal; and

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

Sd/-

Assistant Registrar (CS-II)

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/True Copy/

Sub Assistant Registrar

To

1. The Chief Judicial Magistrate,
Motor Accident Claims Tribunal,
Dindigul.
2. The District Collector,
Dindigul District, Dindigul.

Copy to:

The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1cc to M/S.P.PRABHAKARAN, Advocate SR.No.75754.

+1cc to M/S.S.M.MOHAN GANDHI, Advocate SR.No.75738.

DECREE DATED:31.08.2017

DECREE

C.M.A(MD)No.672 of 2014

NATURE OF THE DECREE: While
Allowing the Appeal and
modified the award passed by
the Motor Accidents Claims
Tribunal(Chief Judicial
Magistrate, Dindigul, dated
29.06.2012 made in MACOP No.253
of 2005 etc..

KK/SKN RSK/19.03.2018/SAR-2/2P-7C