



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A. (MD) No.558 of 2016
and
C.M.P. (MD) No.6612 of 2016

The Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai Division II) Limited,
Palayamcottai,
Tirunelveli

... Appellant/2nd Respondent

Vs.

1.J.Jegatha
2.Maya Krishnan

... 1&2 Respondents /Petitioners

3.Mariappan
(The 3rd Respondent is the driver
of the appellant and that notice
may be dispensed with)

... 3rd Respondent /1st Respondent

Prayer: Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 21.08.2012 made in M.C.O.P.No.319 of 2011 on the file of the Motor Accident Claims Tribunal / Principal Sub Court, Tenkasi.

For Appellant : Mr.P.Prabhakaran
For R-1 & R-2 : Ms.M.Irfana Fathima
For R-3 : Dispense with vide in EB

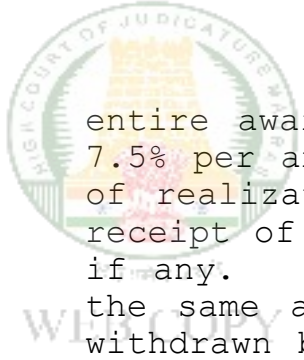
JUDGMENT

Heard the learned counsel on either side.

2. The Transport Corporation has filed this appeal principally on the ground of quantum. The deceased Dinesh, son of the claimants was aged six years. The accident occurred on 20.05.2011. The Tribunal awarded a sum of Rs.3,35,000/- as compensation payable to the claimants. By no such of imagination this can be said to be excessive. There is no merit in this Civil Miscellaneous Appeal.

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

3.The appellant Transport Corporation is directed to pay the



entire award amount of Rs.3,35,000/- 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 twelve weeks from the date of receipt of a copy of this order, less the amount already deposited, if any. On such deposit, the claimants are entitled to withdraw the same as apportioned by the Tribunal, less the amount already withdrawn by them, if any, by filing proper application before the Tribunal.

4. Accordingly, the Civil Miscellaneous Appeal is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Subordinate Judge,
Motor Accident Claims Tribunal,
Tenkasi.
2. The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Ms.N.IRFANA FATHIMA, ADVOCATE IN SR No. 89873
+ 1 CC TO Mr.P.PRABHAKARAN, ADVOCATE IN SR No. 89436

KMI

TE/MR-KKR/SAR-3 : 27/12/2017 : 2P/5C

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