



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2017

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A. (MD) No.59 of 2015

and

M.P. (MD) No.1 of 2015

The Managing Director,
Tamil Nadu State Transport Corporation,
Railway Station Road, Kumbakonam. ... Appellant

Vs.

1.Sasima Banu
2.Noorjakhan Begam
3.Kamal
4.Siddick Raja
5.Proskhan
6.Syed ammal @ Suriya Banu
7.Pown Raja ... Respondent

Prayer: This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to set aside the judgment and decree dated 10.07.2014 passed in MCOP.No.935/2012 on the file of the Motor Accident Claims Tribunal / Special District Court, Thanjavur.

For Appellant : Mr.P.Prabhakaran

For Respondent : Mr.V.Perumal

J U D G M E N T

This Civil Miscellaneous Appeal has been filed by the Managing Director, Tamil Nadu State Transport Corporation, Kumbakonam challenging the award dated 10.07.2014 made in MCOP.No.935/2012 on the file of the Motor Accident Claims Tribunal / Special District Court, Thanjavur.

2.One Raffick Raja aged about 31 years met with an accident on 30.06.2012 involving a bus belonging to the appellant corporation. He died on the spot. He was a load man. The Tribunal after considering the materials on record held that the accident took place on account of the rash and negligent driving of the driver employed by the appellant corporation. There is no reason to take a different view.



3.The said finding is confirmed. The Tribunal fixed the monthly income earned by the deceased at Rs.6,000/-. It adopted the correct multiplier and awarded a sum of Rs.10,48,400/-. This appeal is only on the ground of quantum. The appellant cannot fault the approach of the Tribunal on any ground. There is no merit in this appeal. It stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

The Special District Judge,
Motor Accident Claims Tribunal, Thanjavur.

+ 1 cc TO Mr.V.Perumal , Advocate in SR No. 82046
+ 1 cc TO Mr.P.Prabhakaran , Advocate in SR No. 82028

Skm

AE/GT/SAR1/30.10.2017/2P/4C

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and
M.P. (MD) No.1 of 2015
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