



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2017

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A.(MD)No.635 of 2015

and

M.P((MD)No.2 of 2015

Tamil Nadu State Transport Corporation Ltd,
represented by its Managing Director,
Bye pass road, Madurai. ... Appellant/Respondent.

Vs.

V.Kaluvaan ... Respondent/Petitioner.

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree made in MCOP.No.1647 of 2008 dated 23.04.2014 on the file of the Motor Accident Claims Tribunal / IV Additional Sub Court, Madurai.

For Appellant : Mr.P.Prabhakaran

For Respondent : Mr.M.Chelladurai

JUDGMENT

Tamil Nadu State Transport Corporation has filed this Civil Miscellaneous Appeal questioning the award dated 23.04.2014 made in MCOP.No.1647 of 2008 on the file of the Motor Accident Claims Tribunal / IV Additional Sub Court, Madurai.

2.The respondent is the claimant. The respondent was travelling in the bus belonging to the appellant corporation as a passenger. But, before the claimant could get down from the bus, the driver had moved the vehicle causing the fall of the respondent. The respondent sustained grievous injuries. He was an inpatient from 11.11.2007 to 03.12.2007. He suffered permanent disability. It was assessed at 38%. Crime No.207/2007 was registered on the file of C5 Karimedu police station against the driver of the appellant corporation.

3.The Tribunal fixed negligence on him. There is no reason to take a different view. A sum of Rs.94,400/- was awarded as compensation payable to the claimant. It cannot be said to be excessive. There is no merit in this appeal. It stands



dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

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Sub Assistant Registrar.

To

The Motor Accident Claims Tribunal / IV Additional Sub Court,
Madurai.

Copy to:

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

+1CC to Mr.P.Prabhakaran, Advocate, SR.No. 83084

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AM/JC/SAR 1/18.12.2017/2P/4C