



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A. (MD) No.846 of 2016

P.Sankar

... Appellant

Vs.

Tamil Nadu State Transport Corporation,
Virudhunagar,
Rep.by its Managing Director,
Virudhunagar,
Virudhunagar District.

... Respondent

Prayer: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988 against the judgment and decree order dated 22.12.2015 made in MCOP.No.262 of 2013 on the file of the Motor Accidents Claims Tribunal, II Additional Sub Court, Madurai.

For Appellant : Mr.M.Sarangan

For Respondent : No appearance

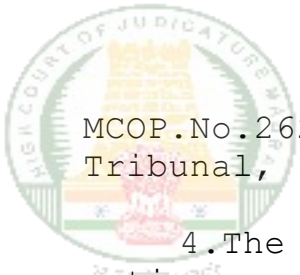
JUDGMENT

The claimant has filed this appeal seeking enhancement of compensation.

2.The claimant suffered injuries and his disability was assessed at 19%. The Tribunal awarded a sum of Rs.51,846/-. Contending that this is inadequate, this appeal has been filed. I am of the view that the compensation payable to the claimant can be reworked as under :

Disability compensation (19x3000)	: Rs.57,000/-
Medical expenses	: Rs.23,000/-
Pain and sufferings	: Rs.10,000/-
Extra nourishment	: Rs.5,000/-
Attender charges	: Rs.5,000/-
Total	: Rs.1,00,000/-

3.The compensation payable to the claimant is enhanced from Rs.51,846/- to Rs.1,00,000/-. The award dated 22.12.2015 made in



MCOP.No.262 of 2013 on the file of the Motor Accidents Claims Tribunal, II Additional Sub Court, Madurai is modified.

4.The respondent corporation is directed to deposit the entire compensation, with interest at the rate of 7.5% per annum, from the date of petition till the date of realization and costs, within a period of eight weeks from the date of receipt of a copy of this order, less the amount already deposited, if any. On such deposit, the claimant is entitled to withdraw the same, by filing proper application before the Tribunal, less the amount already withdrawn by him, if any.

5.This Civil Miscellaneous Appeal is allowed. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Motor Accidents Claims Tribunal,
II Additional Sub Court, Madurai.
2. The Record Keeper,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.M.Sarangan , Advocate in SR No. 88980

skm

AE/SKN RSK/SAR1/27.12.2017/2P/4C

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