



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twenty First day of November, Two thousand and Seventeen

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PRESENT

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.A. (MD) No. 855 of 2016

Anjammal

... Appellant/Petitioner

Vs.

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

... Respondent/Respondent

Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and decretal Order of the Additional Sub Judge, Motor Accidents Claims Tribunal, (Additional Sub Court), dated 11.12.2014 made in MCOP.No.27 of 2012

ORDER: This Appeal coming on for hearing on this day; upon perusing the grounds of Appeal, the order of the Lower Court and the material papers available in this case and upon hearing the arguments of Mr.S.Sivathilakar, Advocate for the Appellant and of Mr.P.Prabhakaran, Advocate for the Respondent while allowing this Appeal in part, this Court doth order and decree as follows:-

(i) That the Award dated 11.12.2014 passed in MCOP.No.27/2012 on the file of the Additional Subordinate Judge, Motor Accident Claims Tribunal (Additional Sub Court), Kumbakonam be and hereby is modified to the extent,

(ii) That the Compensation payable to the Appellant/Claimant be and hereby is enhanced from a sum of Rs.1,25,500/- (Rupees One Lakh Twenty Five Thousand and Five Hundred only) to a sum of Rs.2,00,500/- (Rupees Two Lakhs and Five Hundred only);

(iii) That the Respondent Transport corporation be and hereby is directed to deposit the entire compensation amount with interest at the rate of 7.5% per annum from the date of petition till the date of realisation, within a period of Eight weeks from the date of receipt of a copy of this Order, less the amount already deposited if any;

(iv) That on such deposit, the Claimant shall be permitted to withdraw the same by filing proper application before the Tribunal below, less the amount already withdrawn by her, if any;



(v) And that there be no Costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(RTI)

/True copy/

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Sub Assistant Registrar

To

1.The Additional Subordinate Judge,
The Motor Accidents Claims Tribunal,
(Additional Sub Court), Kumbakonam

Copy to:

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

+1cc to Mr.P.PRABHAKARAN,Advocate,SR. 88365

+1cc to Mr.S.SIVATHILAKAR,Advocate,SR. 88527

DATED: 21.11.2017

DECREE

C.M.A.(MD)No.855 of 2016

NATURE OF THE DECREE: Allowing the appeal in part preferred against the Judgment and decree dated 11.12.2014 in MCOP.No.27 of 2012 on the file of the Motor Accidents Claims Tribunal (Additional Sub Court)Kumbakonam and giving directions etc. as stated therein.

KK/MR KKR/SAR 1/20.12.2017/ 2P- 5C/