

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Thursday, the Ninth day of March Two Thousand and Seventeen and
24/10/2017

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PRESENT

THE HONOURABLE MS.JUSTICE V.M.VELUMANI**C.M.A. (MD)No.97 of 2016****and****Cross Objection (MD)No.22 of 2016****C.M.A. (MD)No.97 of 2016**

THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION,
KUMBAKONAM DIVISION-II, PERIYAMILAGUPARAI,
TRICHY DISTRICT-1.

...PETITIONER/1st RESPONDENT

/Vs/

1.VEERASAMY
2.KUNJAMMAL
3.RAMASAMY

... RESPONDENTS 1 & 2 /PETITIONERS
... 3rd RESPONDENT/2nd RESPONDENT.

Appeal filed under Section 173 of the Motor Vehicles Act, 1988,
against the order and decretal order dated 10.08.2015 made in MCOP
No.127/2013 on the file of the Motor Accident Claims
Tribunal/Special District Court, Tiruchirappalli.

Cross Objection (MD)No.22 of 2016

1.VEERASAMY
2.KUNJAMMAL

...CROSS APPELLANTS/RESPONDENTS 1 AND 2

/VS/

1 THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION,
KUMBAKONAM DIVISION-II, PERIYAMILAGUPARAI,
TRICHY DISTRICT-1.

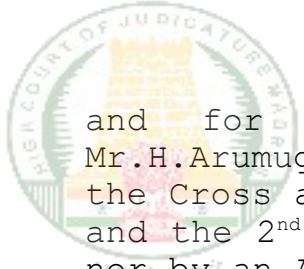
...1st RESPONDENT/APPELLANT.

2 RAMASAMY

...2nd REPONDENT/3rd RESPONDENT.

Cross Objection filed under Order 41, Rule 22 of CPC., against
the order and decretal order passed in MCOP No.127 of 2013 dated
10.08.2015 on the file of the Motor Accident Claims
Tribunal/Special District Court, Tiruchirappalli.

DECREE: This Appeal is coming on for hearing on this day and upon
perusing the Grounds of Appeal, the order and decretal order of the
Lower Court and the material papers in the Appeal and upon hearing
the arguments of Mr.P.Prabhakaran, Advocate for the Appellant in CMA



and for the first Respondent in Cross Objection and of Mr.H.Arumugam, Advocate for the Respondents 1 and 2 in CMA and for the Cross appellants in Cross Objection, the third respondent in CMA and the 2nd respondent in Cross Objection neither appeared in person nor by an Advocate, this Court while allowing the Cross Objection in part, doth order and decree as follows:

1. that the order and decretal order dated 10.08.2015 made in MCOP No.127/2013 on the file of the Motor Accident Claims Tribunal-cum-Special District Court, Tiruchirappalli be and hereby are modified, the Civil Miscellaneous Appeal No.97 of 2016 dismissed;

2.that the award of compensation granted by the Motor Accident Claims Tribunal-cum-Special District Court, Tiruchirappalli in its order dated 10.08.2015 for a sum of Rs.5,26,000/- (Rupees Five Lakhs Twenty Six Thousand Only) be and hereby is enhanced to Rs.6,88,000/- (Rupees Six Lakhs Eighty Eight Thousand);

3.That the Claimants be and hereby is directed to submit their Savings Bank Account details along with the copies of their passbooks to the tribunal forthwith;

4.that the appellant-Transport Corporation be and hereby is directed to deposit the entire award amount as ordered by this Court along with accrued interest and costs, less the amount already deposited, if any, to the credit of MCOP No.127 of 2013 before the Motor Accident Claims Tribunal-cum-Special District Court, Tiruchirappalli, within a period of eight weeks from the date of receipt of a copy of the Judgment;

5.that on such deposit, the Motor Accident Claims Tribunal-cum-Special District Court, Tiruchirappalli be and hereby is directed to transfer the entire award amounts along with accrued interest and costs directly to the Personal Savings Bank Account numbers of the Claimants, through RTGS/NEFT system, after getting their Account details, within a period of two weeks thereafter;and

6.that there be no costs in this Civil Miscellaneous Appeal and the Cross Objection as well.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

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

Copy to:

<https://hcservices.courts.gov.in/hcservices/>
The Section Officer,

V.R.Section, Madurai Bench of Madras High Court, Madurai (2 Copies)



+1cc to M/s.P.PRABHAKARAN Advocate in SR. No.13963 to 13983
+1cc to M/s. C.PADMARAJ Advocate in SR. No.13670 to 13672
+1cc to Mr.N.SUDHAGAR NAGARAJ Advocate in SR. No.13824
+1CC to Mr.Mr.H.Arumugam, Advocate, SR.No. 83576

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ORDER DATED : 09.03.2017 and
24/10/2017

DECREE

C.M.A. (MD) No.97 of 2016
and
Cross Objection (MD) No.22 of 2016

Dismissing this Civil
Miscellaneous Appeal etc., as
stated within.

AM/SKN RSK/SAR 1/23.02.2018/3P/8C