



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Wednesday, the Ninth day of December
Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM

CMA(MD).No.1116 of 2017

The General Manager,
Southern Railway Park Town,
Chennai-600 002.

:Appellant/2nd Respondent

Vs

1.M.Marimuthu
2.The Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai Division -IV),
Dindigul.

:1 Respondent/Petitioner

: 2nd Respondent/1st Respondent

Prayer:-Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the Judgment and Decree in M.C.O.P.No.448 of 2003 dated 20/11/2014 on the file of the IV Additional District Judge, MACT, Madurai.

DECREE:- This Civil Miscellaneous Appeal having come up for hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of, Mr.A.Haja Mohideen, Advocate for the Appellant and of, Mr.P.T.Ramesh Raja, Advocate for the First Respondent, and of Mr.M.Prakash, Advocate for the Second Respondent, this court doth order and decree as follows:-

(1)That the judgment and decree of the IV Additional District Judge, MACT, Madurai, dated 20/11/2014 made in MCOP.No.448 of 2003 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed.

(2) that, the Appellant/Southern Railway and Second Respondent/Transport Corporation be and hereby are directed to deposit the entire award amount as directed by the tribunal with accrued interest and costs, less the amount already deposited if any, within a period of eight weeks from the date of receipt of copy of this judgment.

(3) that on such deposit being made, the First respondent herein/claimant be and hereby is permitted to withdraw the award amount, be making necessary application before the tribunal, and



(4) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CO)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar (CS)

TO

1. The Motor Accidents Claims Tribunal,
IV Additional District Judge,
Madurai.
2. The Record Keeper, (2 COPIES)
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. P. T. Ramesh Raja, Advocate in S.R.No.24832

ORDER DATED : 09/12/2020

=====
DECREE
=====

CMA (MD) .No.1116 of 2017

Nature of Decree:-While Dismissing the Appeal preferred against the Judgment and Decree in M.C.O.P.No.448 of 2003 dated 20/11/2014 on the file of the IV Additional District Judge, MACT, Madurai, etc.,

VB (18.02.2021) 2P 5C