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IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND EIGHTEEN

PRESENT :

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Civil Miscellaneous Appeal No.3419 of 2013
and
Cross Objection No.47 of 2014

The Managing Director,
State Express Transport Corporation
(Tamil Nadu) Ltd.,
Chennai - 600002.

...Appellant in CMA
Respondent in Cross Objection

Vs

Dr.Saravana Ruban

...Respondent in CMA and Cross
Objector in Cross Objection

Civil Miscellaneous Appeal against the Award of the Motor Accident Claims Tribunal, II Small Causes Court, Chennai, dated: 30.04.2013 and made in M.C.O.P.No.2037 of 2009.

DECREE : - This Civil Miscellaneous Appeal and Cross Objections coming on for hearing on Wednesday, the Twenty Second Day of November 2017 and upon perusing the Grounds of Appeal, the Award of the Motor Accident Claims Tribunal, (II Small Causes Court), Chennai and upon hearing the arguments of Mr.K.Venkatramani, Additional Advocate General assisted by Mr.P. Paramasivadosh, Advocate for the Appellant in CMA No.3419 of 2013 and the Respondent in Cross Objection No.47 of 2014, and of Mr.U.M.Ravichandran for Mr.V.Velu, Advocate for the Respondent in CMA NO.3419 of 2013 and Cross Objector in Cross Objection No.47 of 2014 and the appeal and the Cross Objection having stood over for consideration till this day, this Court while dismissing the CMA filed by the Transport Corporation and allowing in Cross objection filed by the claimant, doth order and decree as follows:-



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i) that the compensation awarded by the Tribunal be and hereby is enhanced to Rs.82,59,970/- (Rupees Eighty Two Lakhs fifty nine thousand nine hundred and seventy only) from Rs.67,99,350/- (Rupees Sixty seven Lakhs Ninety nine thousand three hundred and fifty only)

ii) that the appellant herein/Transport Corporation do pay to the Claimant/Cross Objector a sum of Rs.82,59,970/- (Rupees Eighty Two Lakhs fifty nine thousand nine hundred and seventy only) instead of a sum of Rs.67,99,350/- (Rupees Sixty seven Lakhs Ninety nine thousand three hundred and fifty only) towards compensation awarded by the Tribunal vide award dated 30.04.2013 in MCOP No.2037 of 2009

iii) that the appellant herein / Transport Corporation be and hereby is directed to deposit the enhanced amount of Rs.82,59,970/- together with interest at 7.5% p.a. from the date of claim petition and till the date of payment, less the amount already deposited, if any, within a period of Six weeks from the date of receipt of this order;

iv) that on such deposit being made the claimant/Cross Objector be and hereby do withdraw the same on filing due application; and

v) that there be no costs in this Appeal and as well as in Cross Objection.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The Motor Accident Claims Tribunal,
II Court of Small Causes,
Chennai.

Copy to:-

The Section Officer,
V.R.Section,
High Court, Madras - 104.

+1cc to Mr.V.Velu, Advocate, SR.NO.71741



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DATED : 12.10.2018

DECREE:

CMA No.3419 of 2013
and
Cross Objection No.47 of 2014

Dismissing the CMA and
allowing the Cross Objection
preferred against the Judgment
and Decree dated 30.04.2013
and made in MCOP No.2037 of
2009 on the file of the Motor
Accident Claims Tribunal (II
Court of Small Causes),
Chennai, etc, as stated
within.,

Kak (03/04/2019)