



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twelfth day of April, Two thousand and Eighteen

present

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CMA(MD)No.134 of 2018

The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Having Office at
Kumbakonam Town & Munsif. ... Appellant/Respondent

vs.

1)Hamarunnisha
2)Raziya Sulthana
3)Mohamed Ansari ... Respondents/Petitioners

Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree of the Special Judge, The Motor Accident Claims Tribunal/Special District Court, Thanjavur dated 17.10.2016 made in MCOP No.1157 of 2015.

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.P.Prabhakaran, Advocate for the Appellant, and of Mr.G.Karnan, Advocate for the Respondents, while partly allowing the Appeal, this Court doth order and decree as follows:

(i)That the quantum of compensation of Rs.7,86,000/- (Rupees Seven Lakhs and Eighty Six Thousand only) awarded under the Judgment and decree dated 17.10.2016 in MCOP.No.1157 of 2015 on the file of the Motor Accidents Claims Tribunal/Special District Court, Thanjavur be and hereby is modified to a sum of Rs.6,64,000/- (Rupees Six Lakhs and Sixty Four Thousand only);

(ii)That the Appellant be and hereby is directed to deposit 80% of the modified compensation amount of Rs.6,64,000/- in respect of the liability fastened on them at 80%, with proportionate accrued interest at the rate of 7.5% per annum from the date of petition till the date of deposit, less the amount already deposited, if any and costs within a period of four weeks from the date of receipt of a copy of this judgment;

<https://hcservices.ecourts.gov.in/hcservices/>

(iii)That on such deposit being made, the



Respondents/Claimants shall be permitted to withdraw the same, as apportioned by the Tribunal below, without filing any formal petition before the Tribunal;

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

Sd/
Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To
The Special District Judge,
Motor Accident Claims Tribunal
(The Special District Court),
Thanjavur.

Copy to: The Record Keeper,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1cc to Mr.P.PRABHAKARAN, Advocate, SR.No.60956
+1cc to Mr.G.KARNAN, Advocate, SR.No. 60879

CMA(MD)No.134 of 2018

DECREE

NATURE OF THE DECREE: Partly allowing the Appeal preferred against the Judgment and Decree dated 17.10.2016 in MCOP No.1157/2015 on the file of the Motor Accident Claims Tribunal/Special District Court, Thanjavur, and giving direction etc., as stated therein.

KK/JC/SAR-1/01.06.2018/2P-6C