

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Wednesday, the Eleventh day of July Two Thousand and Eighteen****PRESENT**

WEB COPY

**The Hon`ble Mrs.Justice J.NISHA BANU****CMA(MD) No.768 of 2016**

R.Vinoth Kumar

... Appellant/Petitioner

Vs.

The Managing Director,  
Tamil Nadu State Transport Corporation,  
(Salem Division-I),  
12, Ramakrishna Road,  
Salem - 636 007.

... Respondent/ Respondent

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree dated 01.07.2014 and made in MCOP No.3780 of 2013 on the file of the Motor Accident Claims Tribunal (Special Subordinate Judge) Trichy.

DECREE: This Civil Miscellaneous Appeal is coming on for hearing on this day and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in this appeal and upon hearing the arguments of Mr.D.Selvanayagam, Advocate for the appellant, and Mr.D.Sivaraman, Advocate for Respondent, this Court while partly allowing this appeal, doth order and decree as follows:

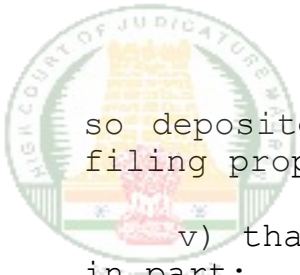
i) that the award of the Motor Accidents Claims Tribunal/Special Subordinate Judge, Trichy, dated 01.07.2014 and made in MCOP No.3780 of 2013 is modified by enhancing the compensation amount from Rs.4,38,965/- (Rupees Four Lakhs thirty eight thousand nine hundred and sixty five only) to Rs.5,88,965/- (Rupees Five Lakhs Eighty Eight Thousand Nine Hundred and Sixty Five only);

ii) the the respondent/Transport Corporation herein do deposit the entire compensation amount of Rs.5,88,965/- (Rupees Five Lakhs Eighty Eight Thousand Nine Hundred and Sixty Five only) with interest @ 7.5% per annum, from the date of petition till the date of realization and costs, within a period of eight weeks from the date of receipt of a copy of this judgment, less the amount already deposited, if any;

iii) that in other aspects, the award be and hereby in confirmed;

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

iv) that the appellant/Claimant be and hereby is permitted to withdraw the entire award amount with accrued interest and costs,



so deposited less the amount already withdrawn by him, if any, by filing proper application before the Tribunal;

v) that the Civil Miscellaneous Appeal be and hereby is allowed in part;

vi) that there be and hereby no costs in this Civil Miscellaneous Appeal.

Sd/-  
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Special Subordinate Judge,  
Motor Accident Claims Tribunal,  
Trichy.
2. The Record Keeper, (2 copies)  
Vernacular Records Section,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.D.Selvanayagam, Advocate Sr.No.72544  
+1cc to Mr.D.Sivaraman, Advocate Sr.No.72635

RM

VB/SV/SAR2/31.07.2018/2P/6C

Dated :11/07/2018

DECREE

CMA(MD) No.768 of 2016

Allowing This Appeal in part preferred against the Judgment and Decree dated 01.07.2014 and made in MCOP No.3780 of 2013 on the file of the Motor Accident Claims Tribunal, Special Subordinate Court, Trichy and etc., as stated within.