



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twenty Sixth day of April Two Thousand and Eighteen
PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CMA(MD) No.299 of 2018

THE MANAGING DIRECTOR,
STATE EXPRESS TRANSPORT CORPORATION,
PALLAVAN SALAI,
CHENNAI - 600 002.

...Appellant/ Respondent

Vs

1 AMUTHA,

2 RADHAMANI,

3 LATHA,

4 MINOR SAKTHIVEL,

5 MINOR THANGAVEL,

6 MINOR PALANISAMI,

7 MINOR PANDI DURAI,

(Minor Respondents 4 TO 7 are represented by
their mother and guardian the 1st respondent
Amutha)

...Respondents/ Petitioners

PRAYER: Appeal filed under Section 173 of the Motor Vehicles Act,
against the judgment and decree dated 19.06.2017, passed in
M.C.O.P.No.487 of 2014 on the file of the Motor Accidents Claims
Tribunal, Special District Court, Tiruchirappalli.

DECREE: This Civil Miscellaneous Appeal coming on the hearing on
this day and upon perusing the grounds of Appeal, the award of the
Tribunal and the material papers to this case and upon hearing the
arguments of Mr.P.Prabhakaran, Advocate for the Appellant, and of
Mr.D.Boopal, Advocate for the respondents; while allowing the Appeal
and in modification of the award of the tribunal below, doth order
and decree as follows:-

1.That the Appellant herein/Transport Corporation do deposit
the entire award amount sum of Rs.13,30,000/- (Rupees Thirteen lakhs
and thirty thousand only) as compensation with interest @ 7.5%,
with in a period of eight weeks from the date of receipt of a copy
of this judgment, less amount already deposited, if any;

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

2.That on such deposit, the major claimants shall withdraw



their respective shares with accrued interest and costs as apportioned by the Tribunal, less the amount already withdrawn by them, if any by filing proper application before the Tribunal;

3. That, as far as the shares of minors are concerned, the Tribunal do deposit the shares of the minor children in a nationalized Bank until they attain majority.

4. That the first respondent herein, who is the mother/guardian, be permitted to withdraw the interest amount once in three months;

5. That the Appellant herein/Transport Corporation is at liberty to withdraw the excess amount, if the entire compensation amount awarded by the tribunal, has already been deposited; and

6. That there be no order as to costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

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

Copy to:
The Section Officer, (2 Copies)
VR Section,
Madurai Bench Of Madras High Court, Madurai.

+1CC to Mr.P.Prabhakaran, Advocate in SR.No.63733,
+1CC to Mr.D.Boopal, Advocate in SR.No.63553.

RM
DS/JC/SAR-2 :05.06.2018:2P/6C

ORDER DATED :26/04/2018
DECREE
CMA(MD) No.299 of 2018

Allowing the appeal preferred against the judgment and decree dated 19.06.2017 in M.C.O.P.No.487 of 2014 on the file of the Motor Accident Claims Tribunal, Special District Judge, Tiruchirappalli and etc., as stated within.