



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twenty fifth day of October Two Thousand and Eighteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMA(MD) No.962 of 2018

THE MANAGING DIRECTOR

TAMIL NADU STATE TRANSPORT CORPORATION LTD,
KUMBAKONAM (DIVISION II), PERIYAMILAGUPARAI,
TRICHY 1

:Appellant/Respondent

Vs

S.NATARAJAN (DIED)

1.P.Subbulakshmi

2 K.Uma Maheswari

:Respondents/Petitioners 2 and 3

This Civil Miscellaneous Appeal is filed under section 173 of the Motor Vehicles Act, 1988, against the award dated 16.12.2015 and made in M.C.O.P.No.1152 of 2012, on the file of the IIIrd Additional District Judge, Motor Accident Claims Tribunal, Tiruchirappalli.

DECREE:

This Civil Miscellaneous Appeal 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 the case and upon hearing the arguments of Mr.P.Prabhakaran, Advocate for the Appellant, and of Mr.A.John Vincent, Advocate for the Respondent this Court while allowing the Civil Miscellaneous Appeal doth order and decree as follows;

(i) that the award dated 16.12.2015, made in M.C.O.P. No.1152 of 2012 passed by the IIIrd Additional District Judge, Motor Accident Claims Tribunal, Tiruchirappalli be and hereby is set aside and the Civil Miscellaneous Appeal is allowed;

(ii)that the award dated 16.12.2015, made in M.C.O.P. NO.1152 of 2012 on the file of the IIIrd Additional District Judge, Motor Accident Claims Tribunal, Tiruchirappalli be and hereby is remanded back for fresh consideration;

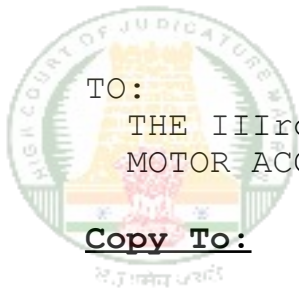
(iii)that the III Additional District Judge, Motor Accident Claims Tribunal be and hereby is directed to consider the evidence of both the appellant and the respondent and pass order on merits and in accordance with law, within a period of three months from the date of receipt of this copy of the Judgment;

(iv) that there be no order as to costs in this Civil Miscellaneous Appeal;

Sd/-

Assistant Registrar (CS V)

// True Copy //



TO:

THE IIIrd ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUCHIRAPPALLI.

Copy To:

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1CC to Mr.A.JOHN VINCENT , Advocate SR.No. 92784.

+1CC to Mr.P.PRABHAKARAN , Advocate SR.No. 92823.

ORDER DATED :29/10/2018

DECREE

CMA(MD) No.962 of 2018

Allowing the Civil Miscellaneous Appeal against the Judgment and decree dated 16.12.2015 passed in M.C.O.P. No.1152 of 2012 on the file of the III rd Additional District Judge Motor Accident Claims Tribunal, Tiruchirappalli, etc., as stated within.

DS/ /SAR- (04.03.2019) 2P 6C