

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2019

CORAM:

THE HON'BLE MR. JUSTICE R.MAHADEVAN

C.M.P.No.3274 of 2017
and C.M.A.(SR).No.90662 of 2015

1. A.Loordhumary
2. A.Roselin Mary
3. A.Helian Martin (Minor)
(R-3 rep. by her mother, 1st petitioner)
.. Petitioners / appellants / claimants

Vs.

The Managing Director,
Metropolitan Transport Corporation,
Anna Salai, Chennai 600 002 .. Respondent /
Respondent before the Tribunal.

Prayer in CMP No.3274 of 2017: Petition filed under Section 151 of the CPC to enhance the claim amount from Rs.20,00,000/- to Rs.25,20,556/- in CMA (SR) No.90662 of 2015 filed against the award dated 23.09.2014 made in MACT OP No.2109 of 2012 on the file of the Motor Accident Claims Tribunal (III Judge, Small Causes Court) Chennai and subsequently to enhance the value of Appeal.

Prayer in CMA (SR) No.90662 of 2015: Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 23.09.2014 made in MACT OP No.2109 of 2012 on the file of the Motor Accident Claims Tribunal (III Judge, Small Causes Court) Chennai dated 23.09.2014.

For Petitioners / appellants : Mr. S.Ravikumar
For Respondent : Mr. S.Sivakumar

R.MAHADEVAN, J.,

srk

ORDER

Heard both sides.

2. The learned counsel appearing for both sides submitted that in respect of the very same accident, the Transport Corporation (respondent herein) has preferred an Appeal before this Court in CMA (SR) No.76553 of 2015 and the same came to be settled before the National Lok Adalat, on 08.09.2018, for a sum of Rs.18,51,973/- in full quit. It is also submitted by the learned counsel for both sides that the compensation amount has been deposited and the amount has been withdrawn by the major claimants and minor share has been deposited in the Bank.

2. In view of the above submissions, nothing survives for adjudication in this case. Hence this Civil Miscellaneous Petition is closed. Consequently, the Civil Miscellaneous Appeal is rejected at the SR stage itself. No costs.

06.11.2019

srk

To

1. Motor Accident Claims Tribunal (III Judge, Small Causes Court)
Chennai

C.M.P.No.3274 of 2017
& C.M.A.SR.No.90662 of 2015



WEB COPY