



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Friday, the Fifteenth day of November Two Thousand and Nineteen

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PRESENT

The Hon'ble Mr.Justice KRISHNAN RAMASAMY

CMA(MD). No.1064 of 2013

Gurusamy

...Appellant

Vs

TAMIL NADU STATE TRANSPORT LTD.
THROUGH ITS MANAGING DIRECTOR
VANNARAPETTAI TIRUNELVELI.

... Respondent

Prayer :- The Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act 1988, against the judgment and decree made in MCOP No.239 of 2012 on the file of the Motor Accident Claims Tribunal, IV Additional District Court, Tirunelveli, dated 01.11.2012.

DECREE:- This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR.T.Selvakumaran, Advocate for the Appellant and of MR.K.Chellapandian Additional Advocate General assisted by Mr.P.Prabhakaran Standing Counsel for the respondent, while this Court partly allowing and modifying this Civil Miscellaneous Appeal, doth order and decree as follows:-

(1) that the award passed by the IV Additional District Judge, Motor Accidents Claims Tribunal, Tirunelveli dated 01.11.2012 made in MCOP No.239 of 2012, be and hereby is enhanced from a sum of Rs.50,000/- (Rupees fifty thousand only) to a sum of Rs.4,50,000/- (Rupees Four lakhs fifty thousand only);

(2) that the respondent herein/Transport Corporation be and hereby is directed to deposit the additional compensation within a period of eight weeks from the date of receipt of a copy of this order, failing which, the respondent/Transport Corporation be and hereby is directed to pay interest at the rate of 7.5% from the date of receipt of a copy of this order;

(3) that on such deposit, the Tribunal be and hereby is directed to transfer the said amount directly to the Personal Savings Account Number of the claimant by way of RTGS/NEFT system, after getting



their Account Details, within a period of three weeks thereafter;
and

(4) That there be no costs in this Civil Miscellaneous Appeal.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

TO

The IV Additional District Judge,
Motor Accidents Claims Tribunal, Tirunelveli

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-98867 dated 18/11/2019)

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-99336 dated 19/11/2019)

ORDER DATED : 15/11/2019

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DECREE

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CMA(MD). No.1064 of 2013

Partly Allowing the CMA(MD).
No.1064 of 2013 preferred
against the judgment and decree
made in MCOP No.239 of 2012 on
the file of the Motor Accident
Claims Tribunal, IV Additional
District Court, Tirunelveli,
dated 01.11.2012 etc., as stated
within.

JMN(21.11.2019) 2P : 6C

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