



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the Twelfth day of March Two Thousand and Nineteen

PRESENT

The Hon'ble Mr.Justice N.KIRUBAKARAN

CMA(MD)No.560 of 2016

&

Cross Obj.(MD) No.16 of 2016

TAMIL NADU STATE TRANSPORT CORPORATION LIMITED,
THROUGH ITS MANAGING DIRECTOR,
OFFICE AT VANNARAPETTAI,
TIRUNELVELI

... Appellant in CMA/
Respondent in Cross Objection

Vs

RAJA MUTHIAH

... Respondent in CMA/
Cross Objector in Cross Objection

Prayer in CMA(MD). No.560 of 2016 :- Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, to allow this appeal and to set aside the Award and Decree made in MCOP.No.115/2013 dated 28.06.2013 on the file of the Motor Accident Claims Tribunal / Special Subordinate Court, Tirunelveli.

Prayer in Cross Objection(MD)No.16/2016:- Cross Objection petition filed under Order XLI Rule 22(1) of Civil Procedure Code, to award an enhanced compensation of Rs.3,00,000/- over and above Rs.7,89,880/-awarded by the lower court in MCOP.No.115/2013 dated 28.06.2013 on the file of the Motor Accident Claims Tribunal / Special Subordinate Court, Tirunelveli.

DECREE : This Civil Miscellaneous Appeal and Cross Objection coming on for hearing on this day, upon perusing the Grounds of Appeal and the Cross Objection, the award of the Lower Court and the material papers in the Appeal and upon hearing the arguments of Mr.P.Prabhakaran, Advocate for the Appellant in CMA and the respondent in Cross Objection and Mr.S.Sivakumar Advocate for the respondent in CMA and for the Appellant in Cross Objection, while dismissing both the CMA and Cross Objection, doth order and decree as follows:



1. that the award made in MCOP.No.115/2013 dated 28.06.2013 on the file of the Motor Accident Claims Tribunal / Special Subordinate Judge, Tirunelveli, be and hereby is confirmed and the Civil miscellaneous appeal and the Cross Objection are dismissed;

2. that there be no costs in this Civil Miscellaneous Appeal and Cross Objection.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar(CS)

To

The Special Subordinate Judge/
Motor Accident Claims Tribunal,
Tirunelveli.

Copy to:-

The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai (2 copies)

+1 cc to Mr.S.Sivakumar - Advocate in SR.53402

+1 cc to Mr. P.Prabhakaran, Advocate in Sr No.53332

ORDER DATED : 12.03.2019

CMA (MD) No.560 OF 2016

&

CROSS OBJ. (MD) No.16 OF 2016

DECREE

NATURE OF DECREE:

Dismissing the CMA & Cross Objection against the award passed in MCOP.No.115/2013 dated 28.06.2013 on the file of the Motor Accident Claims Tribunal / Special Subordinate Court, Tirunelveli.

ES/KK/DS/03.06.2019/2P/6C