



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2019

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Rev.Apl.C.(MD)No.150 of 2019

Jamila

... Petitioner

Vs

1.Tamil Nadu State Transport Corporation Limited,
through its General Manager,
Having its Office at Vannarpettai,
Tirunelveli.

2.Nabissa

3.Kanifa

4.Fathima

5.Ameena Beevi

6.Shariba

... Respondents

Prayer: Review Application is filed under Section 114 of Cr.P.C. r/w. Order XLVII, Rules 1 and 2 of the Civil Procedure Code to review the order dated 15.11.2017 made in C.M.A.(MD)No.1391 of 2015, on the file of this Court.

Prayer in CMA(MD). 1391/ 2015 :

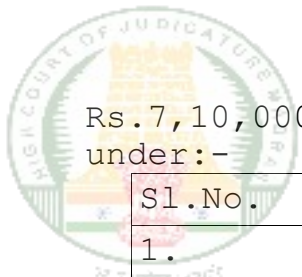
To allow this appeal , set aside the judgment and decree dated 10/10/2012 passed in MCOP NO. 217 /2012 on the file of the Motor Accidents Claims Tribunal/ III Additional District and Sessions Court, Tirunelveli .

For Petitioner : Mr.V.Sasi Kumar

For Respondents : Mr.P.Prabhakaran for R1

O R D E R

The claimant has filed this review application. It is seen that the civil miscellaneous appeal filed by the Transport Corporation was partly allowed by order dated 15.11.2017 and the compensation awarded by the Tribunal was reduced from



Rs.7,10,000/- to Rs.4,65,000/-. The heads of compensation read as under:-

Sl.No.	Heads	Amounts in Rupees
1.	For pecuniary loss	Rs.4,08,000/-
2.	For funeral expenses	Rs. 15,000/-
3.	For loss of love and affection	Rs. 42,000/-
	Total	Rs.4,65,000/-

2.The learned counsel appearing for the claimant would point out that this Court had omitted to include a sum of Rs.1,14,155/-, which represented the medical expenditure incurred by the claimant. Inclusion of the said medical expenditure cannot really be objected to. Therefore, this review application is allowed and the transport corporation is directed to pay a total sum of Rs.5,79,155/- with the interest at rate of 7.5% per annum, and cost from the date of petition till the date of realization, within a period eight weeks from the date of receipt of a copy of this order, less the amount already deposited if any. The learned standing counsel would submit that the amount as quantified by this Court had already been deposited. Therefore, the balance amount should be deposited within the time as mentioned above. On such deposit, the claimant is permitted to withdraw the said amount, less the amount already withdrawn, if any.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Motor Accident Claims Tribunal/
III Additional District and Sessions Judge, Tirunelveli.

2. The General Manager,
Tamil Nadu State Transport Corporation Limited,
Vannarpettai, Tirunelveli.

+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-85855[F] dt.09/09/2019)

+1 CC to M/s.V.SASIKUMAR, Advocate (SR-86060[F] dated 10/09/2019)

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