



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Fifth day of December Two Thousand and Nineteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

C.M.A. (MD). No.871 of 2019

TAMILNADU STATE TRANSPORT (CBE) Ltd.,
Through its Managing Director No.,
having its office at No.37, Mettupalayam Road
Coimbatore at Erode
Coimbatore-638 001. Appellant/ Respondent

Vs

R.VEERAMMAL (DIED)

1. Meenakshi,

2 Karuppayee

3 Rakku @ Rakkamal

Respondents / Petitioners 2 to 4

Prayer:

This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act 1988, against the award dated 07/12/2018 made in M.C.O.P. No. 70 of 2014 on the file of the Motor Accident Claims Tribunal / Subordinate Court, Aruppukottai.

DECREE:-

This Civil Miscellaneous Appeal coming on for hearing on this day; upon perusing the grounds of Appeals, the award of the Tribunal and the material papers to this case and upon hearing the arguments of Mr. P. Prabhakaran, Advocate for the Appellant and M/s. D. Farjana Ghoushia, Advocate for the respondents; this Court while allowing the Appeal in part and modify the award of the Tribunal; doth order and decree as follows:-

1. That the award 07/12/2018 made in M.C.O.P. No. 70 of 2014 on the file of the Motor Accident Claims Tribunal / Subordinate Court, Aruppukottai be and hereby is reduced from Rs.9,21,800/- (Rupees Nine lakhs Twenty one thousand eight hundred only) to Rs.6,55,200/- (Rupees six lakhs fifty five thousand and two hundred only);



2. That the Appeallant herein / Transport Corporation do deposit entire award amount, if not deposited earlier, within a period of eight weeks from the date of receipt of a copy of this order;

3. That the Respondents/claimants shall be entitled for Rs. 2,18,400/- each, with proportionate interest at the rate of 7.5% from the date of the claim petition till the date of realisation, less default period, if any;

4. On such deposit being made, that the claimants shall withdraw their respective shares before the Tribunal after deducting any amount already received by them earlier;

5. That the Appeallant herein / Transport Corporation be and hereby is entitled to get refund, if any excess amount deposited; and

6. That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO
The Subordinate Judge,
Motor Accident Claims Tribunal, Aruppukottai.

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

ORDER DATED 05.12.2019

DECREE

C.M.A (MD) No.871 of 2019

Allowing in part the Appeal preferred against the award dated 07/12/2018 made in M.C.O.P. No. 70 of 2014 on the file of the Motor Accident Claims Tribunal / Subordinate Court, Aruppukottai etc., as stated within.

JMN(17.02.2020) 2P : 4C

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