



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

Tuesday, the Twenty Seventh day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMA(MD) . No.1161 of 2018

TAMIL NADU STATE TRANSPORT,
CORPORATION LTD TIRUNELVELI REGION ,
VANNARAPETTAI TIRUNELVELI-3 THROUGH ITS ,
MANAGING DIRECTOR.

... Appellant/1st Respondent

Vs

1 MUTHULAKSHMI

2 MINOR DEIVYA SEKAR

3 MINOR KAVIYA SEKAR
(Respondent 2 & 3 are minors represented
their mother and next friend 1st respondent)

4 FRANCIS

5 FATHIMA MARY :Respondents 1 to 5/Petitioners

6 SEVUGAPANDIAN

7 THE NEW INDIA ASSURANCE
COMPANY LTD, NO.1449, TENKASI ROAD,,
RAJAPALAYAM.

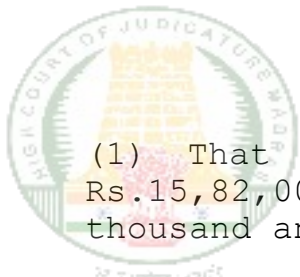
:Respondents 6 & 7/Respondents 2 &3

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Motor Accident Claims Tribunal, Special Subordinate Court, Tirunelveli, in MCOP No.1314 of 2015 dated 26.03.2018.

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.P.PRABHAKARAN, Advocate for the Appellant and of MR.R.J.KARTHICK, Advocate for first to fifth respondent, MR.M.JOTHI BASU, Advocate for sixth respondent, MR.K.MURUGESAN, Advocate for the seventh respondent, while modifying the award of the tribunal and partly allowing this appeal, this Court does hereby order and decree as follows:-



(1) That the amount awarded by the Tribunal is reduced from Rs.15,82,000/- to Rs.13,80,400/- (Rupees Thirteen Lakhs eighty thousand and four hundred only).

(2) That the Appellant/Transport Corporation be and hereby is directed to deposit the modified compensation of Rs.13,80,400/- with 7.5% interest from the date of petition till the date of deposit, less the amount already deposited, if any, to the credit of the claim petition within a period of eight weeks from the date of receipt of a copy of this Judgment.

(3) That on such deposit being made, the major claimants be and are hereby permitted to withdraw their respective shares in the ratio apportioned by the Tribunal with interest without filing formal permission petition before the Tribunal.

(4) That the minors' share shall be deposited in a Nationalised Bank in the name of minors till they attain majority and the interest accruing on such deposit is permitted to be withdrawn by the first respondent / mother of minors once in three months directly from the Bank.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL.
SPECIAL SUBORDINATE JUDGE,
TIRUNELVELI.

+1 CC to Mr.P.PRABHA KARAN, Advocate SR-83522
+1 CC to M/s.G.M. LAWOFFICE, Advocate SR-83617
+1 CC to Mr.R.J. KARTHICK, Advocate SR-83657
+1 CC to Mr.K. MURUGESAN, Advocate SR-83661.



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CMA(MD). No.1161 of 2018

ORDER DATED: 27/08/2019

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DECREE

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CMA (MD) . No.1161 of 2018

Nature of Decree:- Partly
Allowing the Civil
Miscellaneous Appeal
preferred against the
award made in MCOP No.1314
of 2015 dated 26.03.2018 on
the file of the Motor
Accident Claims Tribunal,
Tirunelveli, and etc.,
stated within

CS (25.09.2019) 3P 6C