



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

CMA(MD)No.552 of 2018 and CMA(MD).No. 627 of 2019 and
CMP(MD).No.6410 of 2018

CMA (MD) .No. 552 of 2018

State Express Transport Corporation Limited,
through its Managing Director,
office at
Tiruvalluvar House,
Pallavan Salai,
Chennai.

... Appellant in CMA(MD)No.552 of 2018
Respondent in CMA(MD)No.627 of 2019

Vs.

Yacobu

...Respondent in CMA(MD)No.552 of 2018
Appellant in CMA(MD)No.627 of 2018

CMA(MD) No.627 of 2019

Yacobu

Petitioner in CMA(MD). 627/ 2019

... Vs..

1. State Express Transport Corporation Ltd,
Through its Managing Director Office,
Thiruvalluvar House, Pallavan Salai, Chennai.

.... Respondent(s) in CMA(MD). 627/ 2019

Common Prayer: These Civil Miscellaneous Appeals are filed against the Award and Decree made in MCOP.No.87 of 2015, dated 06.07.2017, on the file of the Motor Accidents Claims Tribunal / Special Sub Court, Tirunelveli.



For Appellant in CMA(MD)No.552 of 2018

Respondent in CMA(MD)No.627 of 2019 : Mr.P. Prabhakaran

For Respondent in CMA(MD)No.552 of 2018

Appellant in CMA(MD)No.627 of 2018 : Mr. T. Selvakumaran

WEB COPY

COMMON JUDGMENT

C.M.A.(MD).No. 552 of 2018 has been filed by the Transport Corporation challenging the liability and quantum of compensation awarded by the Tribunal. However, C.M.A(MD).No.627 of 2019 has been filed by the claimant for enhancement of compensation.

2. The learned Standing Counsel appearing for the Transport Corporation fairly submitted that though the Transport Corporation has filed an appeal challenging the liability, he is restricting his submission only with regard to the fixation of interest and he further submitted that in all other aspects the award passed by the Tribunal may be confirmed. According to the Transport Corporation, the interest may be reduced from 9% per annum to 7.5% per annum.

3. The learned counsel appearing for the claimant submitted that the claimant has no objection for confirming the award passed by the Tribunal and in reducing the rate of interest at the rate interest 9% per annum from 7.5% per annum.

4. In view of the said submission made by the learned counsels, this Court, while confirming the Award passed by the Tribunal, is inclined to reduce the interest awarded by the Tribunal from 9% to 7.5% per annum.

5. Accordingly, the CMA(MD).No. 552 of 2018 filed by the Transport Corporation is partly allowed. Consequently, the CMA (MD).No. 627 of 2019, filed by the appellant / claimant is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

6. The appellant / Transport Corporation in CMA(MD). NO.552 of 2018 is directed to deposit the entire award amount of Rs.5,40,000/- together with interest at 7.5% per annum from the date of petition till the date of deposit and costs to the credit of MCOP.No.87 of 2015, on the file of the Motor Accidents Claims Tribunal / Special Sub Court, Tirunelveli, less the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this Judgment. On such deposit being made, the claimant is permitted to withdraw the entire amount along



WEB COPY

CMA(MD)No.552 of 2018 and CMA(MD).No. 627 of 2019 and

with interest and costs by filing necessary application before the Tribunal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

trp

To

The Motor Accidents Claims Tribunal /
Special Sub Court, Tirunelveli.

Copy to
The Section Officer-2 copies
VR Section,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-85505[F] dated
06/09/2019)

+1 cc to Mr.P.PRABHAKARAN , Advocate SR.No.85265

CMA (MD) No.552 of 2018 and
CMA (MD) .No. 627 of 2019 and
CMP (MD) .No.6410 of 2018
05.09.2019

KM/ (25.10.2019) 3P 6C