



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

Thursday, the Fifth day of September Two Thousand and Nineteen
PRESENT

WEB COPY

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMA (MD) . No.555 of 2018

THE BRANCH MANAGER,
TAMILNADU STATE TRANSPORT CORPORATION
LIMITED, TRICHY

... Appellant / Respondent

Vs

1 RETHINAM
2 SELVARANI
3 POTHUMALAR
4 SUBRAMANIAN
5 PREMA

... Respondents/ Petitioners

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award dated 26.07.2017 made in MCOP No.219 of 2012 on the file of the Motor Accident Claims Tribunal, Principal District Court, Pudukottai.

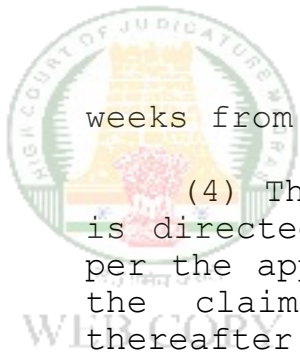
DECREE:-

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.K.C.MANIYARASU, Advocate for the respondents, modifying the award passed by the Tribunal and Party allowing the Appeal, and that the Appellant Transport corporation already deposited 50% award amount before the tribunal, this Court doth order and decree as follows:-

(1) That the amount awarded by the Tribunal be and hereby is reduced from Rs.8,68,500/- to Rs.7,83,500/- (Rupees Seven Lakhs Eighty Three Thousand and Five Hundred only).

(2) That the Appellant Transport Corporation be and hereby is directed to pay the reduced compensation amount of Rs.7,83,500/- along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit.

(3) That the Appellant/Transport Corporation be and hereby is directed to deposit the balance award amount as quantified by this Court above, along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit, within a period of twelve



weeks from the date of receipt of a copy of this order.

(4) That on such deposit being made, the Tribunal be and hereby is directed to transfer the respective shares of the claimants (as per the apportionment made in MCOP) directly to the Bank account of the claimants through RTGS within a period of three weeks thereafter. and

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

TO

1) The Principal District Judge,
MOTOR ACCIDENT CLAIMS TRIBUNAL.
Pudukottai.

Copy to:

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

+1 CC to Mr.PPRAPHAKARAN, Advocate (SR-85264 dated 05/09/2019)
+1 CC to Mr.K.C.MANIYARASU, Advocate (SR-85592 dated 06/09/2019)

ORDER DATED : 05/09/2019

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DECREE

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CMA(MD). No.555 of 2018

Nature of Decree:- Party Allowing the Civil Miscellaneous Appeal preferred against the award of the Special District Judge, Motor Accidents Claims Tribunal, Tanjore made in MCOP No.219 of 2012 dated 26.07.2017 and etc., as stated therein

MK (17.12.2019) 2P 6C