



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

Friday, the Twenty Fifth day of October Two Thousand Nineteen

PRESENT

The Hon'ble Mr.Justice KRISHNAN RAMASAMY

CMA(MD). No.887 of 2017

1. Marikani,
S/o.Chidambaram, No.2/1, Middle Street,
Ariyanayagipuram Post, Sankarankovil Tk.
2. Minor Molueeswaran,
S/o.Marikani, No.2/1, Middle Street,
Ariyanayagipuram Post, Sankarankovil Tk.
Rep Through His Father & Next
Guardian the 1st Petitioner. ... Appellants

Vs

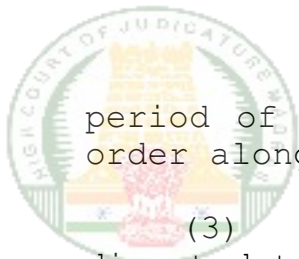
TAMILNADU STATE TRANSPORT CORPORATION LTD.,
THROUGH ITS MANAGING DIRECTOR,
VANNARAPETTAI, TIRUNELVELI. ... Respondent

Prayer :-This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal, (IV Additional District Judge), Tirunelveli dated 20/04/2015 made in MCOP No.217 of 2013.

DECREE:- This Civil Miscellaneous Appeal having come up for final hearing on this date and upon hearing the arguments of Mr.T.Selvakumaran, Advocate appearing for the Appellants and of MR.P.Prabhakaran, Advocate appearing for the respondent, this Court while allowing the Civil Miscellaneous Appeal in part and the Appellants/Petitioners having paid the Additional Court fee for the enhanced amount vide USSR No.3704 dated 12.02.2020 of amount Rs.3675/- (Rupees Three Thousand and Six Hundred and Seventy Five only), doth order and decree as follows:-

(1) that the compensation awarded under the award and decree of the Motor Accident Claims Tribunal, (IV Additional District Judge), Tirunelveli dated 20/04/2015 made in MCOP No.217 of 2013 be and hereby is enhanced from a sum of Rs.7,90,000/- (Rupees seven lakhs ninety thousand only) to Rs.12,94,800/- (Rupees twelve lakhs ninety four thousand eight hundred only);

(2) that the Transport Corporation/respondent herein be and is directed to deposit the entire award amount within a



period of twelve weeks from the date of receipt of a copy of this order along with interest at the rate of 7.5%;

(3) that on such deposit, the Tribunal be and hereby is directed to transfer the said amount as apportioned by the Tribunal, directly to the personal Savings Account Number of the first claimant by way of RTGS/NEFT system, after getting his Account details, within a period of three weeks thereafter and to invest the second petitioner/minor's share in the fixed deposit;

(3) that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The IV Additional District Judge,
Motor Accident Claims Tribunal, Tirunelveli

Copy to:

The Record Keeper, V.R. Section, (2 Copies)
Madurai Bench of Madras High Court, Madurai

+2 CC to M/s.T.SELVAKUMARAN, Advocate, SR-94774 & 95118
+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-94775 dated 25/10/2019)

ORDER DATED : 25/10/2019

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DECREE

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CMA(MD) . No.887 of 2017

Nature of the decree: Allowing the CMA(MD). No.887 of 2017 preferred against the judgment and decree of the Motor Accident Claims Tribunal, IV Additional District Judge, Tirunelveli dated 20/04/2015 made in MCOP No.217 of 2013 etc., as stated within.

JMN (27.02.2020) 2P : 7C