

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24.09.2020
CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.M.A.No.1115 of 2013
and M.P.No.1 of 2013

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Villupuram. ...Appellant/ Respondent

vs.

Abdul Jaffar ... Respondent/ Petitioner

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 01.03.2007 made in MCOP No.243 of 2005 on the file of Motor Accidents Claims Tribunal (Principal Subordinate Judge) Tiruvannamalai.

For Appellant : Mr.C.S.K. Sathish

For Respondent : Batta not filed reg -
Not ready in notice

JUDGMENT

(This case was heard through Video Conferencing)

The learned counsel for the appellant fairly submitted that the appeal filed by the respondent / claimant seeking for enhancement as against the same impugned award dated 01.03.2007 passed by the Motor Accidents Claims Tribunal (Principal Subordinate Judge) Tiruvannamalai in MCOP No.243 of 2005 was partly allowed by this Court on 10.12.2018 in CMA No.1938 of 2011 and the compensation was enhanced to Rs.1,30,000/- from Rs.50,800/- fixed by the Tribunal. A copy of the aforesaid judgment has also been placed before this Court.

2. The only ground raised in this appeal by the appellant / Transport Corporation is that the quantum of compensation awarded by the Tribunal is excessive. Since the said issue has been duly considered in the connected appeal filed by the claimant in C.M.A. No.1938 of 2011(referred to supra), this appeal filed by the Transport Corporation has to fail.

3. For the foregoing reasons, there is no merit in this appeal and accordingly, the Civil Miscellaneous Appeal shall stand dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

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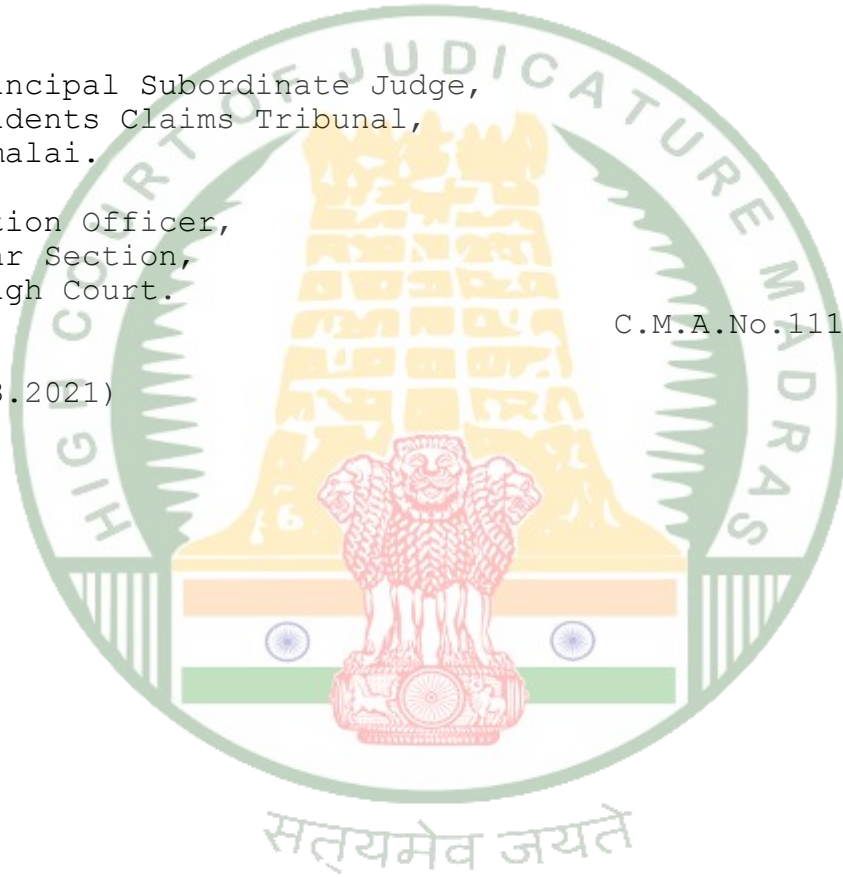
1. The Principal Subordinate Judge,
Motor Accidents Claims Tribunal,
Tiruvannamalai.

2.The Section Officer,
Vernacular Section,
Madras High Court.

C.M.A.No.1115 of 2013

AD co

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