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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(CIVIL APPELLATE JURISDICTION)

TUESDAY, THE TENTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY

PRESENT

THE HON`BLE MR.JUSTICE K.KALYANASUNDARAM

CMA(MD)NO.1093 OF 2007
AND 666 OF 2014

C.M.A.(MD) No.1093 OF 2007 :

LAKSHMI ... **Appellant/Claimant**

/ **VERSUS** /

TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
MADURAI DIVISION - 2, REPRESENTED
BY ITS MANAGING DIRECTOR, VANNARAPETTAI,
TIRUNELVELI. ... **Respondent/Respondent**

C.M.A.(MD) No. 666 OF 2014 :

TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
MADURAI DIVISION - 2, REPRESENTED
BY ITS MANAGING DIRECTOR, VANNARAPETTAI,
TIRUNELVELI. ... **Appellant/Respondent**

/ VERSUS /

LAKSHMI ... **Respondent/Petitioner**

COMMON PRAYER :

Civil Miscellaneous Appeals filed under Section 173 of Motor Vehicles Act, 1988 prefered against the judgment and decree made in MCOP No.275 of 2004, dated 31.10.2006, on the file of the Motor Accident Claims Tribunal (1st Additional Sub Judge), Tirunelveli.

DECREE:-

These Civil Miscellaneous Appeals coming upon for hearing on this day, upon perusing the Grounds of Appeals, the order of the Tribunal and the material papers of the Appeals and upon hearing the arguments of MR.T.SELVAKUMARAN, Advocate for the Appellant in CMA

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(MD)No.1093/2007 and for the Respondent in CMA(MD)No.666/2014 and of MR.M.PRAKASH, Advocate for the Respondent in CMA(MD)No.1093/2007 and for the Appellant in CMA(MD)No.666/2014, this Court while allowing the Civil Miscellaneous Appeal (MD) No. 1093/2007 in part, doth order and decree as follows:-

(1) That the total award amount passed by the Motor Accident Claims Tribunal (1st Additional Sub Judge), Tirunelveli, dated 31.10.2006 passed in MCOP No.275 of 2004 be and hereby is rounded off to Rs.45,000/- (Rupees Forty Five Thousand Only) and the interest at the rate of 9% p.a., awarded by the Tribunal is reduced to 7.5 % p.a. and the Civil Miscellaneous Appeal(MD)No.666/2014 is dismissed.

(2) That the Transport Corporation be and hereby is directed to deposit the entire award amount with accrued interest and costs, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this order ;

(3) That on such deposit, the Claimant be and hereby is permitted to withdraw the entire award amount, less the amount already withdrawn, if any, together with accrued interest and costs by filing necessary application before the Tribunal and

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

THE 1ST ADDITIONAL SUB JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

Copy to:

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

+1 CC to M/s.T. SELVAKUMARAN, Advocate (SR-21835 dated 11/11/2020)

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ORDER DATED : 10/11/2020

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DECREE

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CMA(MD)No.1093 of 2007 and 666 of 2014

Nature of Decree:- Allowing the Civil Miscellaneous Appeal (MD) No. 1093/2007 in part and Dismissing the Civil Miscellaneous Appeal (MD)No. 666/2014 preferred against the judgment and decree made in MCOP No.275 of 2004, dated 31.10.2006, on the file of the Motor Accident Claims Tribunal (1st Additional Sub Judge), Tirunelveli and etc. as stated within.

NR (08/12/2020) 3P : 5C

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