



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.03.2020

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

C.R.P. (NPD) (MD) No. 1085 of 2007

and

M.P. (MD) No. 1 of 2007

M/s. New India Assurance Company Ltd.,
By its Branch Manager,
Parimalam Complex,
11, E.V.N. Road,
11 Floor, Erode.

.. Petitioner/5th Respondent

Vs.

1. M. Thangamani

.. 1st Respondent/Petitioner

2. Tamil Nadu State Transport Corporation,
Kumbakonam Division IV, Pudukottai,
Represented by its Managing Director,

3. M. Eswaran

4. M/s. United India Insurance Company Ltd.,
by its Divisional Manager,
Door No. 48, Dr. Sangaran Road,
Namakkal.

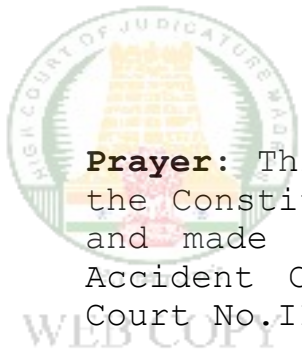
5. D. Saminathan

.. 2nd to 5th Respondents/
1st to 4th Respondent

6. M/s. Tamil Nadu State Transport Corporation Ltd.,
Virudhunagar,
Represented by its Managing Director,

7. M/s. Tamil Nadu State Transport Corporation Ltd.,
District Collectorate,
Dindigul,
Represented by its Managing Director,

.. 6th & 7th Respondents/
6th & 7th Respondents



Prayer: This Civil revision petition is filed under Article 227 of the Constitution of India, to set aside the award dated 12.07.2006 and made in M.C.O.P.No.1561 of 1998 on the file of the Motor Accident Claims Tribunal, Additional District Court, Fast Track Court No.II, Madurai.

For Petitioner	: Mr.J.S.Murali
For Respondents 6 and 7	: Mr.Prakash
For 4 th Respondent	: Mr.A.S.Mathialagan
For Respondents 1,2,3 and 5	: No Appearance

ORDER

Heard learned counsel appearing on either side.

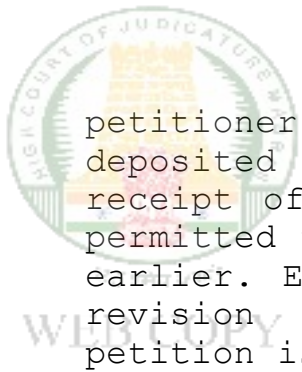
2.This Civil Revision Petition has been filed against the order passed in M.C.O.P.No.1561 of 1998 dated 12.07.2006, on the file of the Motor Accident Claims Tribunal, Additional District Court, Fast Track Court No.II, Madurai.

3.The revision petitioner herein is the 5th respondent, the first respondent herein is the claimant, the respondents 2 to 7 herein are the respondents 1 to 4, 6 and 7 in the claim petition. The first respondent herein has filed a claim petition in M.C.O.P.No.1561 of 1998 claiming a sum of Rs.25,000/- (Rupees Twenty Five Thousand only). The Tribunal has passed an award of Rs.5,000/- (Rupees Five Thousand only). Against which, the fifth respondent has preferred this revision petition.

4.It is stated that totally four claim petitions were filed before the Tribunal claiming compensation for the injuries caused to the claimants in the same accident. The Tribunal has passed a common order in M.C.O.P.Nos.578, 588. 1561 and 1562 of 1998. The fifth respondent herein has filed C.M.A.(MD)Nos.874 to 876 of 2007 against the common order passed in M.C.O.P.No.578, 588 and 1562 of 1998. This Court, by a common order dated 16.12.2017, has dismissed the appeals in C.M.A.(MD)Nos.874 to 876 of 2007 and confirmed the award passed by the Tribunal.

5.In view of the common order passed in the connected appeals in C.M.A.(MD)Nos.874 to 876 of 2007, this civil revision petition is also dismissed and the award passed in M.C.O.P.No.1561 of 1998 dated 12.07.2006, on the file of the Motor Accident Claims Tribunal, Additional District Court, Fast Track Court No.II, Madurai is confirmed.

6.The revision petitioner is directed to deposit the award amount along with interest at the rate of 7.5% per annum from the date of the order till the date of deposit with costs. The revision



petitioner is directed to deposit the above said amount if not deposited earlier, within a period of 8 weeks from the date of receipt of copy of this order. On such deposit, the claimant is permitted to withdraw the same after deducting any amount received earlier. Excess amount if any deposited shall be refunded to the revision petitioner. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MRN

To

1.The Additional District Judge,
The Motor Accident Claims Tribunal,
Fast Track Court No.II,
Madurai.

COPY TO

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

+1 CC to M/s.A.S.MATHIALAGAN, Advocate (SR-10231[F] dated 05/03/2020)

+1 CC to M/s.M.PRAKASH, Advocate (SR-10272[F] dated 05/03/2020)

+1 CC to M/s.J.S.MURALI, Advocate (SR-10578[F] dated 09/03/2020)

C.R.P. (NPD) (MD) No.1085 of 2007

KMK (CO)

TR(10.06.2020) 3P 7C