

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.A.No. 2413 of 2015

S.Esaki Raja

..Appellant/Applicant

Vs

The Union of India Owning
Southern Railway,
Rep. by its General Manager,
Chennai - 600 003.

..Respondent/Respondent

Prayer : Civil Miscellaneous Appeal filed under Section 23 of the Railway Claims Tribunal Act, 1987, against the order passed by the Railway Claims Tribunal, Chennai Bench made in O.A.No. (II-U) 211 of 2014, dated 25.08.2015.

For Appellant .. Mr.S.Parthasarathy

For Respondent .. Mr.M.T.Arunan

JUDGMENT

The award dated 25.08.2015 passed in O.A.No. 211 of 2014, is under challenge, in the present civil miscellaneous appeal.

2. The applicant/claimant, filed this appeal questioning the quantum of compensation awarded by the Railway Claims Tribunal.

3. The facts are admitted. The accident occurred when the appellant was travelling from Tuticorin to Chennai. He was holding Train Ticket No.921726569. The appellant/claimant fallen down from the train and sustained certain medical injuries of abrasion.

4. Perusal of the medical records - Ex.A3 reveals that except abrasions, there is no grievous injury sustained by the appellant due to the accident. The Railway Claims Tribunal considered the medical records as well as the nature of injuries sustained by the appellant/claimant and awarded a sum of Rs.10,000/- along with interest at the rate of 6% per annum from 18.08.2014. The nature of injuries is not disputed and further the injuries sustained of abrasion and there is no serious or grievous injury.

5. This being the factum established, this Court, is not inclined to interfere with the findings of the Tribunal as the award was passed based on the medical records as well as the evidence produced before the Railway Claims Tribunal.

6. Accordingly, the award dated 25.08.2015 passed in O.A.No. 211 of 2014 stands confirmed. Consequently, C.M.A.No.2413 of 2015 is dismissed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssm

To

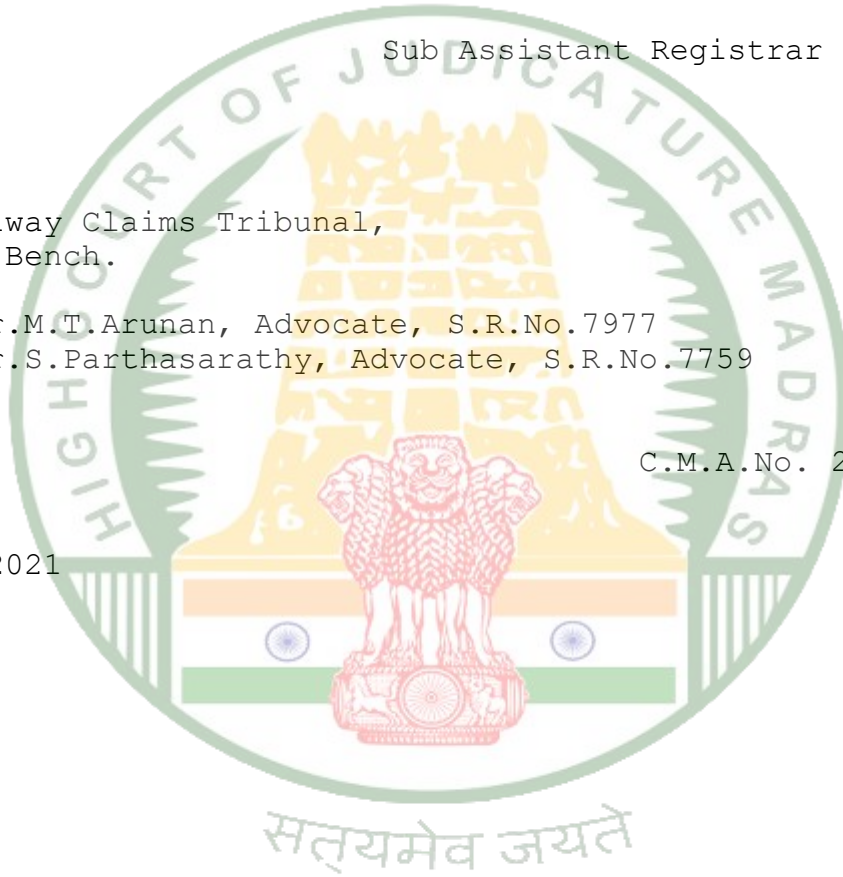
1.The Railway Claims Tribunal,
Chennai Bench.

+1cc to Mr.M.T.Arunan, Advocate, S.R.No.7977

+1cc to Mr.S.Parthasarathy, Advocate, S.R.No.7759

C.M.A.No. 2413 of 2015

VG II (CO)
KKV18/03/2021



WEB COPY