

IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

C.M.A.Nos.940 of 2015

Johni

...Appellant/Petitioner

Vs.

The Managing Director,
Metropolitan Transport Corporation Ltd.,
Annasalai,
Chennai - 2.

...Respondent/Respondent

Prayer: This Appeal filed under Section 173 of the Motor Vehicles Act, 1988, Pleaded to enhance the award against the Judgment and Decree dated 11.12.2014 and made in M.A.C.T.O.P.No.1959/2013 on the file of the Motor Accident Claims Tribunal, III Court of Small Causes, Chennai.

DECREE: This Petition coming on for hearing upon perusing the grounds of appeal and the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mr.F.Terry Chellaraja, Advocate for the Appellant and Mr.K.Moorthy, Advocate for the Respondent, this Court while allowing the Civil Miscellaneous Appeal in part by modifying the award of the Tribunal, doth order and Decree as follows:

1. That the compensation awarded by the Motor Accident Claims Tribunal, III Court of Small Causes, Chennai award dated 11.12.2014 and made in M.A.C.T.O.P.No.1959/2013 be and hereby is enhanced from Rs. 95,500/- (Rupees Ninety Five Thousand Five Hundred only) to Rs. 1,68,500 (Rupees One Lakhs Sixty Eight Thousand and Five Hundred only) with interest at the rate of 7.5% per annum from the date of claim Petition till the date of deposit.

2. that the Respondent herein/Transport Corporation be and hereby is directed to deposit the enhanced award amount Rs.1,68,500 now determined by this Court, along with interest and costs, less the amount already deposited, if any, within a period of twelve weeks from the date of receipt of a copy of this Judgment.

3. that on such deposit being made, the Appellant herein/Claimant be and hereby permitted to withdraw the entire amount after following the due process of law.

4. That there be no costs in this Appeal.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

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To

1. The Motor Accidents Claims Tribunal,
The III Judge, Small Causes Court,
Chennai.

Copy to

The Section Officer,
V.R.Section,
High Court, Chennai.

+1 CC to Mr.K.Moorthy, Advocate sr 2021

+1 Cc to M/s.M. Malar, Advocate sr 19551

Dated: 25.03.2021

DECREE:

C.M.A.No.940 of 2015

While allowing this Civil Miscellaneous Appeal preferred against the Judgment and Decree dated 11.12.2014 and made in M.A.C.T.O.P.No.1959/2013 on the file of the Motor Accident Claims Tribunal, III Court of Small Causes, Chennai and etc as stated therein

RLD(CO)
SP(23/11/2021)