



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST

TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

C.M.A.No.2504 of 2021

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Chennimalai Road,
Erode.

... Appellant/Respondent

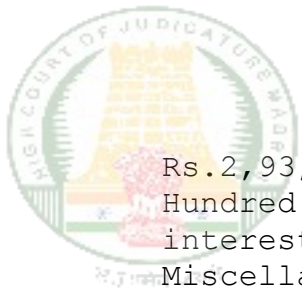
Vs

1. Venugopal
2. V.Gayathri
3. V.Vasanthakumar
4. Srihari
5. M.Sankar
6. M/s.Oriental Insurance Company Limited
Sidda Veerappa Chetty Street,
Dharmapuri Town and Taluk,
Divisional Office at Chamundi Complex,
Four road, Salem - 7. ... Respondents/Claimants 1 to 4 &
Respondents 1 & 2

Prayer:Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the Decree and Judgment dated 26.06.2019 made in M.C.O.P No.361 of 2008 on the file of Motor Accidents Claims Tribunal, Special District Court, Salem.

DECREE:This Civil Miscellaneous Appeal coming on for hearing as to admission on this day, upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mr.A.Sundaravadanan, Advocate for the Appellant and of Mr.S.P.Yuaraj for Respondents 1 to 4, and 6th Respondent not appeared in person or by Advocate, and wherein the 5th respondent was set exparte before the lower court, this Court doth order and decree as follows;

i)That the Decree and Judgment dated 26.08.2019 made in M.C.O.P.No.361 of 2008, on the file of Motor Accidents Claims Tribunal, Special District Judge, Salem for a compensation of



Rs.2,93,644/- (Rupees Two Lakhs, Ninety Three Thousand Six Hundred and Forty Four only) to the respondents along with interest and costs, be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed;

WEB COPY

ii) That the Appellant/Transport Corporation be and hereby is directed to deposit 50% of the award amount, I.e. Rs.1,46,822/- (Rupees One Lakh Forty Six Thousand, Eight Hundred and Twenty Two Only) and the sixth respondent herein/Insurance Company be and hereby is directed to deposit balance 50% of the award amount i.e., Rs.1,46,822/- (Rupees One Lakh, Forty Six Thousand Eight Hundred and Twenty Two Only) along with 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 Judgment to the credit of MCOP No.361 of 2008 on the file of the Motor Accidents Claims Tribunal, Special District Judge, Salem.

iii) That on such deposit being made, the respondents 1 to 4 herein/claimants be and hereby are permitted to withdraw their respective share of the award amount as per the ratio of apportionment fixed by the Tribunal, along with proportionate interest and costs, after adjusting the amount, if any already withdrawn by filing necessary applications before the Tribunal; and

iii) That there be no costs in this Civil Miscellaneous Appeal;

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

dpq

To

The Motor Accidents Claims Tribunal,
Special District Judge,
Salem.



Copy to

The Section Officer,
VR Section, High Court,
Madras.

Dated:25/08/2021

DECREE

C.M.A.No.2504 of 2021

Dismissing the Civil
Miscellaneous Appeal preferred
against the Judgment and decree
dated 26.08.2019 made in
M.C.O.P.No.361 of 2008, on the
file of the Motor Accidents
Claims Tribunal, Special District
Judge, Salem etc., as stated
therein.

ajs[col]
srg 02/03/2022