

IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE NINETEENTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY ONE

PRESENT:

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.M.A.No.1321 of 2018

J.Ghouse Basha @ Syed Khwaja Quthubullah Sha
...Appellant/Petitioner

Vs.

Metropolitan Transport Corporation
(Chennai) Ltd., represented by its Managing Director,
Pallavan Salai, Chennai-600 002. ...Respondent/Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award and Decree dated 28.11.2017 made in M.C.O.P.No.3283/2015 on the file of the Principal Special Judge, Special Court under EC & NDPS Act, Motor Accident Claims Tribunal, Chennai 600 104.

DECREE: This Civil Miscellaneous Appeal coming on for hearing 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 M/s.P.T. Saleem Fathima, Advocate for the Appellant and Mr.S.Sivakumar, Advocate for the Respondent, this Court doth order and Decree as follows:

1. That the sum of Rs. 2,09,500/- awarded by the Tribunal as compensation along with interest and costs be and hereby is confirmed and this Civil Miscellaneous Appeal is dismissed;

2. That the Respondent herein/Transport Corporation be and hereby is directed to deposit the award amount 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 is permitted to withdraw the award amount along

with interest and costs, after adjusting the amount, if any, already withdrawn by filing necessary applications before the Tribunal.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mpa
To

1.The Principal Special Judge,
Special Court under E.C & NDPS Act
Motor Accidents Claims Tribunal, Chennai 600 104.

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

+1 CC to M/s. P.T. Saleem Fathima, Advocate sr 59959.

Dated: 19.11.2021

DECREE:

C.M.A.No.1321 of 2018

Dismissing the Civil Miscellaneous Appeal preferred against the Judgment and Decree dated 28.11.2017 made in M.C.O.P.No.3283/2015 on the file of the Principal Special Judge, Special Court under E.C. & NDPS Act, Motor Accident Claims Tribunal, Chennai etc as stated therein

NK(CO)
SP(16/03/2022)