



IN THE HIGH COURT OF JUDICATURE AT MADRAS

SATURDAY THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY ONE

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PRESENT

THE HONOURABLE MR. JUSTICE R.SUBBIAH
and
THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.M.A. No.1382 of 2018

The Managing Director,
Metropolitan Transport Corporation Ltd.,
(Chennai Division) Pallavan Salai,
Chennai 600 002.

.. Appellant/Respondent

Versus

1. Sreedevi
2. R.Reetchatha
3. Yogitha

.. Respondents/Claimant

Prayer : Appeal against the award of the Motor Accident Claims Tribunal/Special Subordinate Court No.I, Chennai, dated 04.03.2016 made in MCOP.No.1793 of 2009.

Decree : This Appeal coming on for hearing on this day upon perusing the petition of Appeal, the order of the Lower Court, material papers in this case and upon hearing the arguments of Mr. S.S. Swaminathan, Counsel for Appellant and of Mr. K. Ramanatha Reddy, Counsel for the Respondents, this Court while allowing the Civil Miscellaneous Appeal in part and in modification of the award of the tribunal below doth order and decree as follows:

1) that the Appellant/Transport Corporation do pay the Respondents herein/claimants a sum of Rs.29,13,000/- (Rupees Twenty one lakhs thirteen thousand only) after deducting 30% contributory negligence from the total compensation of Rs.41,61,166/- awarded by this Court with interest at 7.5% p.a. from the date of claim petition till the date of payment;

2) that the appellants herein/Transport Corporation be and hereby is directed to deposit the modified compensation now determined by this Court before the Tribunal, after adjusting the amount if any already deposited, within a period of six weeks from the date of receipt of a copy of this order;

3) that on such deposit, the respondents herein/ claimants be and hereby are permitted to withdraw their respective shares including the accrued interest as per the appointment fixed by the tribunal;



4) that the appellant herein/Transport Corporation and hereby is entitled to withdraw the excess compensation, if any, already deposited before the Tribunal; and

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5) that there be no costs in this Appeal.

Sd/-

Deputy Registrar(AD II)

//True copy//

Sub Assistant Registrar

To

1. The Special Subordinate Judge No.I,
Motor Accident Claims Tribunal,
Special Subordinate Court No.I,
Chennai.

2. The Section Officer,
V.R.Section, High Court, Madras.

+1cc to Mr.S.S.Swaminathan, Advocate SR.No.23497

+1cc to Mr.P.Subba Reddy, Advocate SR.No.23510

DATED : 17/04/2021

DECREE :

C.M.A. No.1382 of 2018

Allowing in part the Civil Miscellaneous Appeal preferred against the judgment and decree dated 04.03.2016 made in MCOP.No.1793 of 2009 on the file of the Motor Accident Claims Tribunal, Special Subordinate Court No.I, Chennai, etc., as stated within.

RVS (CO)
GMY (20/10/2021)