



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

( Civil Appellate Jurisdiction )

Wednesday, the Fourth day of August Two Thousand and Twenty One  
PRESENT

**The Hon`ble Mrs.Justice R.THARANI**

CMA(MD). No.1047 of 2016

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TAMIL NADU STATE TRANSPORT CORPORATION,  
MADURAI DIVISION-2,  
Door.No.2, SOUTH BYE-PASS ROAD,  
VANNARAPETTAI, TIRUNELVELI.

... Appellant/Respondent

Vs

SANKARA SUBRAMANIAN

... Respondent/Petitioner

**Prayer:-**

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to set aside the award and decree made in M.C.O.P. No. 17 of 2013, dated 27.09.2013 on the file of the Motor Accident Claims Tribunal/Special Sub Judge, Tirunelveli.

**DECREE:-**

This Civil Miscellaneous Appeal having come up for final hearing on Thurs day, the Twenty Ninth day of July Two Thousand and Twenty One, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR.P.PRABHAKARAN, Advocate for the Appellant and of MR.V.SASIKUMR, Advocate for the respondent, having stood over for consideration of this appeal till date, while this appeal is allowed in part and this Court doth order and decree as follows:-

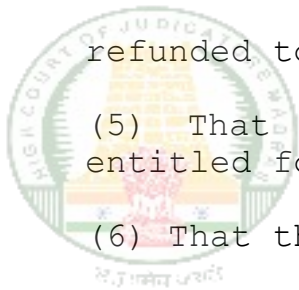
(1) That the respondent herein/claimant be and hereby is entitled to a sum of Rs. 6,67,600/- (Rupees Six Lakhs Sixty Seven Thousand and Six Hundred only) as compensation with interest at the rate of 7.5% from the date of the claim petition till the date of realization;

(2) That the Appellant herein /Transport Corporation be and hereby is directed to deposit Rs. 6,67,600/- (Rupees Six Lakhs Sixty Seven Thousand and Six Hundred only) with 7.5% interest from the date of the claim petition till the date of realization and the amount if not deposited earlier, has to be deposited within a periof of 8 (Eight) weeks from the date of receipt of copy of the judgment;

(3) That on such deposit being made, the respondent herein/ claimant be and hereby is permitted to withdraw the award amount with proportionate interest after deducting any amount received by him earlier without filing any formal petition before the Tribunal.

<https://hcservices.ecourts.gov.in/hcservices/>

(4) That the excess amount, if any deposited be and hereby is



refunded to the appellant herein/ Transport Corporation;

(5) That the respondent herein/Claimant be and hereby is not entitled for interest for the default period, if there is any; and

(6) That there be no costs in this Civil Miscellaneous Appeal.

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Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The Special Sub Court,  
MOTOR ACCIDENT CLAIMS TRIBUNAL,  
Tirunelveli.

Copy to:

The Section Officer,  
V.R. Section,  
Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.V.SASI KUMAR, Advocate ( SR-25205 dated 04/08/2021 )

+1 CC to M/s.P.PRABHAKARAN, Advocate ( SR-25196 dated 04/08/2021 )

ORDER DATED : 04/08/2021

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DECREE

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CMA(MD) . No.1047 of 2016

Nature of Decree:- Partly allowing the Civil Miscellaneous Appeal preferred against to set aside the award and decree made in M.C.O.P. No. 17 of 2013, dated 27.09.2013 on the file of the Motor Accident Claims Tribunal/Special Sub Judge, Tirunelveli.