



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)**

**Thursday, the Twenty Fifth day of February Two Thousand
and Twenty One**

PRESENT

**The Hon`ble Mrs.Justice T.KRISHNAVALLI
CMA(MD)No.154 of 2013**

WEB COPY

THE BRANCH MANAGER,
THE RELIANCE GENERAL INSURANCE COMPANY LIMITED,
NO.23,SPURT TANK ROAD,
HEAVITREE UNIT NO.1,
3RD STREET,CHETPUT,
CHENNAI CITY.

... Appellant/3rd Respondent

/ VERSUS /

1 S.K.VEEERAPATHIRAN **...1st Respondent/Petitioner**

2 THE GENERAL MANAGER,
TAMILNADU STATE TRANSPORT CORPORATION,
MARUTHUPATHI, KARAIKUDI TOWN,
SIVAGANGAI DISTRICT.

3 THE MANAGING DIRECTOR,
M/S.RELIANCE INFOCOM LIMITED,
SP-13,THIRU VI KA INDUSTRIAL ESTATE,
EKKATTHUTHANGAL,
CHENNAI-600 097.

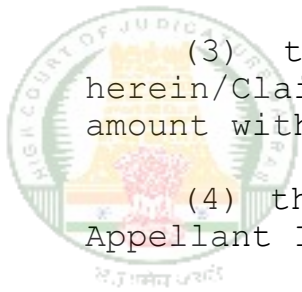
...Respondents 2&3/Respondents 1 & 2

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal, Sub Court, Paramakudi, dated 08.09.2011 passed in MCOP No. 31 of 2010.

DECREE:-This Civil Miscellaneous Appeal coming up for hearing on this day, upon perusing the Grounds of Appeal, the award of the Tribunal and the material papers to the Appeal and upon hearing the arguments of MR.S.SRINIVASA RAGHAVAN, Advocate for the Appellant and of MR.D.SENTHIL, ADVOCATE FOR THE 1ST RESPONDENT, MR.D.SIVARAMAN, ADVOCATE FOR THE 2ND RESPONDENT, this Court while allowing the Appeal in Part, doth order and decree as follows:-

(1) That, the award passed by the Motor Accident Claims Tribunal, Sub Court, Paramakudi, dated 08.09.2011 passed in MCOP No. 31 of 2010 in respect of the negligence be and hereby fixed at 70 % on the part of the driver of the bus and 30 % on the part of the rider of the two wheeler ;

(2) that, the Appellant herein/Insurance Company and the 2nd Respondent herein/Transport Corporation be and hereby is directed to deposit their apportionment of negligence amount as fixed by this Court before the Tribunal together with interest at the rate of 7.5 % per annum from the date of Petition, till the date of deposit ;



(3) that, on such deposit being made, the 1st Respondent herein/Claimant be and hereby is entitled to withdraw the entire amount without filing any formal petition before the Tribunal ;

(4) that, the excess amount if any, shall be refunded to the Appellant Insurance Company and

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The MOTOR ACCIDENT CLAIMS TRIBUNAL,
Sub Court, Paramakudi.

Copy to:

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

+1 CC to Mr.D.SENTHIL, Advocate (SR-7424)

+1 CC to Mr.S.SRINIVASA RAGHAVAN, Advocate (SR-7461)

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-7674)

ORDER DATED : 25/02/2021

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DECREE

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CMA(MD)No.154 of 2013

Nature of Decree:- ALLOWING THE APPEAL IN PART preferred against the judgment and decree of the Motor Accident Claims Tribunal, Sub Court, Paramakudi, dated 08.09.2011 passed in MCOP No. 31 of 2010 and etc. as stated within.

KB(09.06.2021) 2P 7C