



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

Monday, the Eleventh day of January Two Thousand and Twenty One
PRESENT

The Hon'ble Mr. Justice G.ILANGO VAN
CMA(MD). No.968 of 2011

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THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION,
BYE - PASS ROAD, DINDIGUL. ...Appellant / 1st Respondent

Vs

1 VELLAYEE,
W/O.RAMASAMY, MAIN ROAD,
KOKALCHIKAYANPATTI,
UTHAMAPALAYAM TALUK,
THENI DISTRICT ...1st Respondent/Petitioner

2 THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION,
BYE-PASS ROAD, MADURAI - 16.
(EX-ONERATED - HENCE GIVEN UP). ...2nd Respondent/2nd Respondent

Prayer:-Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree dated 15.11.2008 made in M.C.O.P.No.1089 of 2004 on the file of the Motor Accident Claims Tribunal / Additional District and Sessions Court cum Fast Track Court No.III, Madurai.

DECREE:-Civil Miscellaneous Appeal having come up for final hearing on Thursday, the Seventeenth day of December Two Thousand and Twenty, 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.M.PRAKASH, Advocate for the Appellant and the first respondent having not appeared either in person or by an Advocate, this court having stood over for consideration till this day while dismissing the Civil Miscellaneous Appeal, doth order and decree as follows:-

1 That the judgment and decree dated 15.11.2008 made in M.C.O.P.No.1089 of 2004 on the file of the Motor Accident Claims Tribunal / Additional District and Sessions Court cum Fast Track Court No.III, Madurai be and hereby are confirmed and the Civil Miscellaneous Appeal is dismissed.

2 That the Appellant herein / Transport Corporation be and hereby is directed to deposit the entire award amount and interest at the rate of 7.5%, if not already deposited, within a period of two months from the date of receipt of copy of this judgment;



3 That on such deposit being made, the claimants be and hereby are permitted to withdraw the entire amount with costs and interest immediately, after filing proper petition before the Tribunal; and

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

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Additional District and Sessions Judge cum
Fast Track Court No.III,
Motor Accident Claims Tribunal,
Madurai.

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai (+2 Copies)

+1 CC to Mr.M.PRAKASH, Advocate SR-1006

ORDER DATED : 11/01/2021

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DECREE
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CMA(MD). No.968 of 2011

Nature of Decree:- Dismissing the Civil Miscellaneous Appeal against the judgment and decree dated 15.11.2008 made in M.C.O.P.No.1089 of 2004 on the file of the Motor Accident Claims Tribunal / Additional District and Sessions Court cum Fast Track Court No.III, Madurai etc., as stated within.

VB (08.02.2021) 2P 5C