



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

Friday, the Twelfth day of March, Two Thousand and Twenty One
PRESENT

The Honourable Mr. Justice K.KALYANASUNDARAM
CMA(MD). No.912 of 2010

WEB COPY

THE BRANCH MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION (COVAI) LTD.,
COIMBATORE-43. .. Appellant/2nd Respondent

Vs.

1. M.SELLAMUTHU (DIED) ... 1st Respondent/Petitioner
2. S.MANIKANDAN ... 2nd Respondent/1st Respondent

(2nd RESPONDENT IS DRIVER OF THE APPEALLANT BUS AND EXPARTE IN TRIBUNAL-HENCE NOTICE DISPENSED WITH)

3. S. NACHIMUTHU
4. KARUPPAYEE AMMAL (DIED) ... Respondents 3 & 4 /
Legal heirs of the first respondent.

(RESPONDENTS 3 & 4 ARE BROUGHT ON RECORD AS LRS OF THE DECEASED FIRST RESPONDENT VIDE ORDER DATED 30/06/15 MADE IN MP(MD) Nos.1 TO 3/13 IN CMA(MD) No.912/2010)

(THE 3rd RESPONDENT ALREADY ON RECORD AS THE LEGAL HEIR OF THE DECEASED 4th RESPONDENT- VIDE COURT ORDER DATED 14.09.2015 IN CMA(MD) No.912 OF 2010)

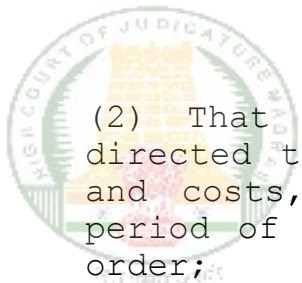
Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Chief Judicial Magistrate, The Motor Accident Claims Tribunal (The Chief Judicial Magistrate Court), Karur dated 03.11.2009 made in M.C.O.P. No.507 of 2006.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, 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.M.PRAKASH, Advocate for the Appellant and of Mr.V.BALAJI, Advocate for the third respondent, this Court doth order and decree as follows:-

(1) That the Award passed by the Motor Accident Claims Tribunal (The Chief Judicial Magistrate Court), Karur dated 03.11.2009 made in M.C.O.P. No.507 of 2006 be and hereby is confirmed and the Civil Miscellaneous Appeal is dismissed;



(2) That the Appellant/Transport Corporation be and hereby is directed to deposit the entire Award amount with accrued interest and costs, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this order;

(3) That on such deposit being made, the third respondent herein be and hereby is permitted to withdraw the Award amount, less the amount already withdrawn if any, together with proportionate interest and costs;

(4) And that there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Chief Judicial Magistrate,
The Motor Accident Claims Tribunal
(The Chief Judicial Magistrate Court), Karur.

Copy to:

The Record Keeper,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

ORDER DATED : 12/03/2021

=====

DECREE

=====

CMA(MD). No.912 of 2010

Nature of Decree:-
Dismissing the Civil Misc.
Appeal preferred against
the judgment and decree of
the Motor Accident Claims
Tribunal (The Chief
Judicial Magistrate Court),
Karur dated 03.11.2009 made
in M.C.O.P. No.507 of 2006
and giving directions etc.
as stated therein.

DKS (CO)

TR(28.04.2021) 2P 4C

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