



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

Tuesday the Twentieth day of April Two Thousand and Twenty One
PRESENT

THE HONOURABLE MRS. JUSTICE T. KRISHNAVALLI
C.M.A. (MD). No.422 of 2013

WEB COPY

The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Coimbatore - 641 043

...Appellant/ respondent

Vs

1. Deviammal
2. Kandasamy
3. Mauthayee
4. Minor Kannan

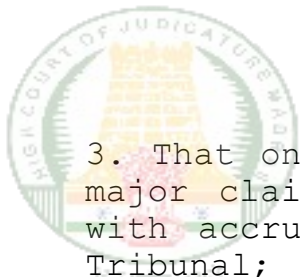
...Respondents/ Petitioners

Prayer:- This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award dated 05.08.2011 passed in M.C.O.P. No.1138 of 2007, on the file of the Motor Accident Claims Tribunal/ Second Additional Subordinate Judge, Tiruchirappalli.

DECREE:-This Civil Miscellaneous Appeal having come up for final hearing on Monday the Twenty Second day of March Two Thousand and Twenty One ; 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 Mr. M. Saravanan, Advocate for the Respondents; this Court having stood over for consideration till this date; while allowing the Appeal in part and modified the award of the Tribunal; and as per the direction of this Court the learned Counsel for the Claimants submitted a memo dated 14.06.2021 in Sr.No.12544, remitting an Additional Court Fee of a sum of Rs.4,359/- and doth order and decree as follows:-

1. That the award dated 05.08.2011 passed in M.C.O.P. No.1138 of 2007, on the file of the Motor Accident Claims Tribunal/ Second Additional Subordinate Judge, Tiruchirappalli be and hereby is enhanced from Rs. 7,18,000/- (Rupees Seven lakhs and eighteen thousand only) to Rs.11,53,900/- (Rupees Eleven lakhs fifty three thousand and Nine hundred only) ;

2. That the Appellant herein/ Transport Corporation be and hereby is directed to deposit the enhanced award amount together with interest @ 7.5% per annum from the date of petition till the date of deposit, less the amount already deposited, within a period of six weeks from the date of receipt of a copy of this judgment;



3. That on such deposit being made, the major respondents herein / major claimants shall withdraw the enhanced award amount together with accrued interest and costs, as per the apportionment of the Tribunal;

4. That the Tribunal be and hereby is directed to deposit the share of the minor 4th respondent herein/ 4th claimant in any one of the Nationalised Bank, in a fixed deposit scheme initially for a period of three years renewable thereafter, till he attains majority;

5. That the 1st respondent / 1st Claimant being the mother and guardian of the minor claimant shall withdraw the accrued interest once in three months directly from the bank for the welfare of the minor; and

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

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Second Additional Subordinate Judge,
Motor Accident Claims Tribunal, Tiruchirappalli.

Copy to:

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

+1 CC to Mr. C. Ashok Kumar, Advocate in sr No. 16650.

ORDER DATED 20.04.2021

DECREE

C.M.A.(MD) No.422 of 2013

Allowing the Civil Miscellaneous Appeal in part filed against the award dated 05.08.2011 passed in M.C.O.P. No.1138 of 2007, on the file of the Motor Accident Claims Tribunal/ Second Additional Subordinate Judge, Tiruchirappalli etc., as stated within.

PK(CO)

TR(08.07.2021) 2P 5C

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