



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.941 of 2016

WEB COPY

The Managing Director,
Tamil Nadu State Transport Corporation Limited,
South Bye-Pass Road, Vannarapettai,
Tirunelveli - 627 011.

...Appellant / Respondent

Vs.

1. Balammal
2. Pattathi
3. Sorimuthu
4. Petchi Rani
5. Kavitha
6. Sivakumar
7. Avudaiammal

...Respondents / Respondents

Prayer:

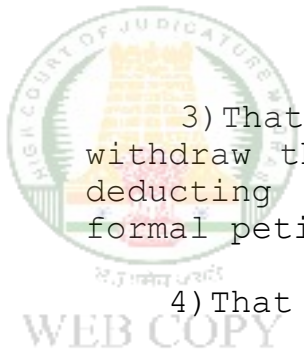
Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, to set aside the award and decree made in M.C.O.P.No.942 of 2012 dated 03.06.2013, on the file of the Motor Accident Claims Tribunal/II Additional District Court, Tirunelveli.

Decree:

Civil Miscellaneous Appeal is coming on for hearing on **Thursday, the Twenty Ninth day of July Two Thousand and Twenty One** and upon perusing the grounds of Appeal, the order of the Lower Court and the material papers in this Appeal and upon hearing the arguments of Mr. P.Prabhakaran, Advocate for the Appellant, and of Mr. V.Sasi Kumar, Advocate for Respondents, and this Court while Allowing the Appeal in Part and modifying the award passed by the Tribunal below, having stood over for consideration till this day, doth order and decree as follows:

1) That the respondents herein be and hereby are entitled to a sum of Rs.4,44,000/- (Rupees Four Lakhs and Forty Four Thousand 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 be and hereby is directed to deposit Rs.4,44,000/- (Rupees Four Lakhs and Forty Four Thousand only) with 7.5% interest from date of the claim petition till the date of realization and the amount if not deposited earlier, has to be deposited within a period of eight weeks from the date of receipt of copy of this order;



3) That On such deposit, the respondents herein are permitted to withdraw their respective shares with proportionate interest after deducting any amount received by them earlier without filing any formal petition before the Tribunal;

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal,
(II Additional District Judge), Tirunelveli

Copy to:

The Record Keeper, V.R. Section,
Madurai Bench of Madras High Court, Madurai(+2copies)

+1 CC to M/s.V.SASI KUMAR, Advocate, SR-25204

+1 CC to M/s.P.PRABHAKARAN, Advocate, SR-25194

ORDER DATED : 04/08/2021

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DECREE

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CMA(MD). No.941 of 2016

Nature of Decree :

Allowing in Part this Civil Miscellaneous Appeal to set aside the award and decree made in M.C.O.P.No.942 of 2012 dated 03.06.2013, on the file of the Motor Accident Claims Tribunal/II Additional District Court, Tirunelveli etc., as stated within.

RD(17.08.2021) 2P 6C

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