



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

Thursday, the Eighteenth day of March Two Thousand and Twenty One
PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMA(MD) . No.87 of 2021

1. M.MAHARAJAN,

2.Seethalakshmi

... Appellants / Petitioners

Vs

1 TAMILNADU STATE TRANSPORT

CORPORATION,, Nagercoil, Kaniyakumari,

Through its General Manager ... Respondent / Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Special District Judge, Motor Accident Claims Tribunal, Madurai in MCOP No.474 of 2019 dated 07.11.2020.

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.V.SAKTHIVEL, Advocate for the Appellant and of Mr.R.RAJAMOHAN, Advocate for the respondent, while modifying the award of the Tribunal and Partly Allowing the Appeal, this Court doth order and decree as follows:-

(1) that the award amount be and hereby is enhanced to Rs.49,65,122/- (Rupees Forty nine lakhs sixty five thousand one hundred and twenty two only)

(2) that the appellants / claimants are entitled to modified compensation of Rs.49,65,122/- with 7.5% interest per annum from the date of petition till the date of deposit,

(3) that the respondent hereby/ corporation be and hereby is directed to deposit the modified compensation of Rs.49,65,122/-with 7.5% interest per annum from the date of petition till the date of deposit, less the amount already deposited, if any, within a period of six weeks from the date of receipt of copy of this judgement,

(4) that on such deposit being made, the appellants / claimants are permitted to withdraw the same in the ratio apportioned by the Tribunal below along with respective proportionate accrued interest, without filing formal permission petition before the Tribunal.

(5) that the appellants be and hereby are directed to pay necessary court fee for the enhanced amount.



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

Sd/-

Assistant Registrar (T&P)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar(CS)

To

1) The Special District Judge, Motor Accident Claims Tribunal,
Madurai.

Copy to:

1.The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

2.The Sub Assistant Registrar(A.E Section)

(for Kind information about court fees for the enhanced
amount)

+1 CC to M/s.V.SAKTHIVEL, Advocate (SR-12334 dated 19/03/2021)

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-12209 dated 18/03/2021)

ORDER DATED : 18/03/2021

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DECREE

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CMA(MD). No.87 of 2021

Nature of Decree:- Partly Allowing the Civil Miscellaneous Appeal
preferred against the award of the Special District Judge, Motor
Accident Claims Tribunal, Madurai in MCOP No.474 of 2019 dated
07.11.2020 and etc., as stated therein

KB(25.05.2021) 2P 7C