



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

( Civil Appellate Jurisdiction )

Friday, the Seventeenth day of December Two Thousand Twenty one

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD) . No.210 of 2018

THE MANAGING DIRECTOR,,  
TAMIL NADU STATE CORPORATION DOOR NO.2 ,  
VANNARPETTAI TIRUNELVELI..

... Appellant/Respondent

Vs

1 MARIAMMAL,  
W/O.LATE.MURUGAN, DOOR NO.107, ANNA NAGAR,  
3RD STREET, ALANGULAM POST, TIRUNELVELI,  
DISTRICT..

... Respondent/Petitioner

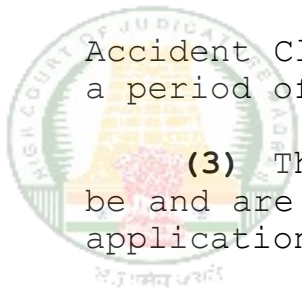
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to set aside the decree and judgment made in M.C.O.P.No.1126 of 2015, dated 27.04.2017 on the file of the Motor Accident Claims Tribunal cum Subordinate Judge, Tirrunelveli.

**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.P.PR BHAKARAN,, Advocate for the Appellant and of MR.V.SASIKUMAR, Advocate for the Respondent and this Court Allowing this appeal in part and modification only in the award and other terms are do stand, doth order and decree as follows:-

(1) That the decree and judgment made in M.C.O.P.No.1126 of 2015, dated 27.04.2017 on the file of the Motor Accident Claims Tribunal cum Subordinate Judge, Tirrunelveli be and here by is reduced to Rs.9,95,000/- (Rupees Nine lakhs Nighty five thousand only) from Rs.11,20,000/- as awarded by the Tribunal.

(2) That the Appellant herein /Transport corporation is directed to deposit 90% of compensation amount i.e., Rs.8,95,000/- (Rupees eight lakhs Nighty five thousand only), less the amount already deposited, together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit to the credit of M.C.O.P.No.1126 of 2015 on the file of the Motor



Accident Claims Tribunal cum Subordinate Judge, Tirrunelveli, within a period of 8 weeks from the date of receipt of copy of the order;

(3) That on such deposit being made, the Respondent/claimant be and are hereby permitted to withdraw the same by filing necessary application before the Tribunal; and

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

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

**TO**

The Motor Accident Claims Tribunal  
cum Subordinate Judge,  
Tirrunelveli

**Copy to:**

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

+1 CC to M/s.V.Sasi Kumar, Advocate, SR No.39837

+1 CC to M/s.P.Prabhakaran, Advocate, SR No.39369

**ORDER DATED : 17/12/2021**

**DECREE**

**CMA(MD) . No.210 of 2018**

**Nature of Decree:-** Allowing the Civil Miscellaneous Appeal in part preferred against the decree and judgment made in M.C.O.P.No.1126 of 2015, dated 27.04.2017 on the file of the Motor Accident Claims Tribunal cum Subordinate Judge, Tirrunelveli, as stated with in.