



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Friday, the Third day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD) . No.424 of 2014

1. SUMATHI,

2. SHANMUGAM

... Appellants/Claimants

3. MINOR.INDUMATHI

(minor appellant rep.by
her mother and next friend/
1st appellant-Sumathi)

Vs

THE MANAGING DIRECTOR

M/S. TAMIL NADU STATE TRANSPORT CORPORATION,,

PERIYAMILAGUPARAI, TRICHY-1..

... Respondent/Respondent

Prayer:-

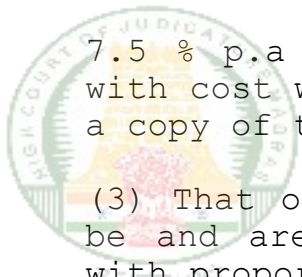
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accidents Claims Tribunal, Sub Court, Kulithalai , dated 07.10.2010 made in M.C.O.P.No.65 of 2009.

DECREE:-

This Civil Miscellaneous Appeal having come up on Wednesday, eighteenth day of August Two Thousand twenty One, for final hearing, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of V.NIRMAL KUMAR FOR M/S AJMAL ASSOCIATES, Advocate for the Appellant and of P.PRABHAKARAN, Advocate for the respondent, having stood over consideration till this date by this Court , doth order and decree as follows:-

(1) That the award passed by the Motor Accidents Claims Tribunal, Sub Court, Kulithalai , dated 07.10.2010 made in M.C.O.P.No.65 of 2009. be and hereby is enhanced from Rs.2,35,000 to Rs.4,48,000 and this Civil Miscellaneous Appeal is partly allowed.

(2) That the Respondent /Transport Corporation be and hereby is directed to deposit Rs.4,48,000/-along with interest at the rate of



7.5 % p.a from the date of petition till the date of deposit and with cost within a period of eight weeks from the date of receipt of a copy of this Judgment , if not already deposited,

(3) That on such deposit , the appellants 1 and 2 /major claimants be and are hereby permitted to withdraw their respective shares with proportionate interest, after deducting any amount received by them earlier,

(4) That the Tribunal is directed to deposit the share of the minor claimant/third appellant herein in any one of the Nationalised Bank, in a Fixed Deposit scheme, till she attains majority,

(5) That the 1st Appellant, who is the mother and guardian of the minor claimant ,be and hereby is permitted to withdraw the accrued interest once in three months directly from the bank ,only for the welfare of the minor,

(6) That the claimants are not entitled for interest for the default period ,if there is any default,

(7) That the appellants/claimants are directed to pay the Court fee for the award amount before the trial Court before withdrawing the deposited amount,

(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 Accidents Claims Tribunal,
Sub Court, Kulithalai

Copy to:

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

+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-28093 dated 03/09/2021)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-28165 dated
03/09/2021)



WEB COPY

ORDER DATED : 03/09/2021

DECREE

CMA(MD) . No.424 of 2014

Nature of Decree:-Dismissing
the Civil Miscellaneous
Appeal preferred against the
judgment and decree of the
the Motor Accidents Claims
Tribunal, Sub Court,
Kulithalai , dated.
07.10.2010 made in
M.C.O.P.No.65 of 2009.

RD(27.09.2021) 3P 6C