



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Eighth day of June Two Thousand and Twenty One

PRESENT

The Hon'ble Mrs. Justice T. KRISHNAVALLI

CMA(MD). No.258 of 2018

THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION KUMBAKONAM LTD.,
KUMBAKONAM TOWN AND TALUK,
THANJAVUR DISTRICT.

...Appellant / Respondent

Vs

SARATH KUMAR

...Respondent / Petitioner

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award dated 22.04.2016 made in M.C.O.P.No.27 of 2014 on the file of the Motor Accident Claims Tribunal (Sub Court), Sivagangai.

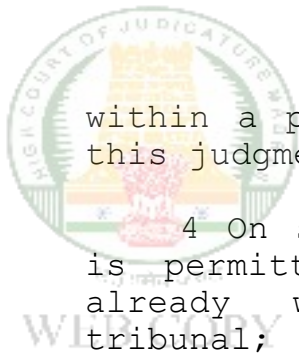
DECREE:-

Civil Miscellaneous Appeal having come up for final hearing on Wednesday, the Seventeenth day of February Two Thousand and Twenty One, 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.PRABHAKARAN, Advocate for the Appellant and of Mr.K.P.RAMESH, Advocate for the respondent 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 date, doth order and decree as follows:

1 That the award dated 22.04.2016 made in M.C.O.P.No.27 of 2014 on the file of the Motor Accident Claims Tribunal (Sub Court), Sivagangai be and hereby is reduced to Rs.4,70,705/- (Rupees Four Lakhs Seventy Thousand Seven Hundred and Five only) from Rs.6,01,000/- (Rupees Six Lakhs and One Thousand only);

2 That the interest at the rate of 7.5% per annum awarded by the tribunal is maintained;

3 That the Appellant herein / Transport Corporation be and hereby is directed to deposit the modified award amount together with accrued interest and costs, less the amount already deposited,



within a period of Six weeks from the date of receipt of copy of this judgment;

4 On such compliance, the respondent / claimant be and hereby is permitted to withdraw the modified amount, less the amount already withdrawn without filing any formal petition before the tribunal;

5 That the excess amount if any shall be refunded to the appellant transport corporation;

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Subordinate Judge,
Motor Accident Claims Tribunal, Sivagangai.

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai (+2 Copies)

ORDER DATED : 08/06/2021

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DECREE

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CMA(MD). No.258 of 2018

Allowing in Part and modifying the
Civil Miscellaneous Appeal
against the Award dated 22.04.2016
made in M.C.O.P.No.27 of 2014 on
the file of the Motor Accident
Claims Tribunal (Sub Court),
Sivagangai etc. as stated within.

KB(23.06.2021) 2P 4C