



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

**Tuesday, the Twenty Third day of November,
Two Thousand and Twenty One**

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PRESENT

The Honourable Mrs.Justice R.THARANI

CMA(MD) . No.419 of 2018

The Executive Director,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakoam, having Office at
Railway Station Road,
Kumbakonam,
Thanjavur District.

... Appellant/Respondent

Vs

Chandramohan

... Respondent/Petitioner

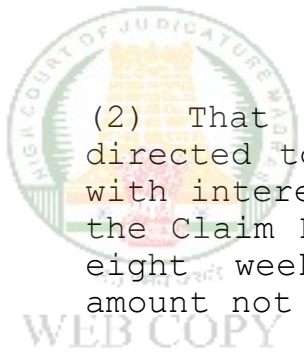
Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the III Additional District Judge, Motor Accident Claims Tribunal/III Additional District Court, Pattukottai dated 09.11.2017 made in M.C.O.P. No.133 of 2016.

DECREE:-

This Civil Miscellaneous Appeal came up for final hearing on Seventh day of September two Thousand twnty 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.S.DEENADHAYALAN, Advocate for the respondent herein, and having stood-over for consideration till this date, this Court while allowing the Appeal in Part, doth order and decree as follows:-

(1) That the compensation amount of Rs.80,279/- (Rupees Eighty Thousand Two Hundred and Seventy Nine only) granted under the Award dated 09.11.2017 made in M.C.O.P. No.133 of 2016 on the file of the Motor Accident Claims Tribunal/III Additional District Court, Pattukottai be and hereby is reduced to a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with interest at the rate of 7.5 per cent per annum from the date of the Claim Petition till the date of realization;



(2) That the Appellant/Transport Corporation be and hereby is directed to deposit Rs.25,000/- (Rupees Twenty Five Thousand only) with interest at the rate of 7.5 per cent per annum from the date of the Claim Petition till the date of realization, within a period of eight weeks from the date of receipt of copy of this Order, if the amount not deposited earlier;

(3) That on such deposit being made, the Respondent/Claimant be and is hereby permitted to withdraw the Award amount so deposited with proportionate interest, after deducting the amount if any received by him earlier; before the Tribunal.

(4) That the excess amount deposited, if any, shall be refunded to the Appellant/Transport Corporation;

(5) That the Respondent/Claimant shall not be entitled for interest for the default period, if any;

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The III Additional District Judge,
The Motor Accident Claims Tribunal (The III Additional
District Court),
Pattukottai.

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, Copy Application Sr.No.35703 dated 24.11.2021.

ORDER DATED : 23/11/2021

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DECREE

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KB(23.12.2021) 3P 5C

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Nature of Decree:- Partly Allowing the Civil Misc. Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal/III Additional District Court, Pattukottai dated 09.11.2017 made in M.C.O.P. No.133 of 2016 and giving directions etc as stated therein.