



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)
Monday, the Fifteenth day of March Two Thousand Twenty One
PRESENT
The Hon'ble Mrs.Justice T.KRISHNAVALLI
CMA(MD) . No.564 of 2018

WEB COPY

THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION ,
(MADURAI DIVISION LIMITED,
BYE PASS ROAD, MADURAI.

... Appellant/ 3rd Respondent

Vs

1 SANTHI

2 ESSAKKIMUTHU

... 1st and 2nd Respondents / Petitioners

3 GANESAN

4 NATARAJAN

... 3rd and 4th Respondents /

1st and 2nd Respondents

(Respondents 3 and 4 are the driver and conductor of the
appellant and they are given up)

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 / Additional Sub Court,
Tenkasi, dated 02.12.2016 made in MCOP No.289 of 2011.

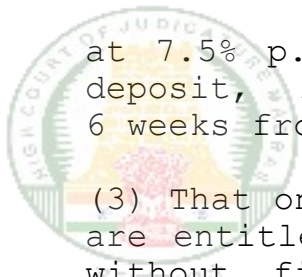
DECREE:-

This Civil Miscellaneous Appeal having come up for final
hearing on this day, 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.N.SHANKAR GANESH, Advocate for the first and
second respondents, this Court while allowing this appeal in part
with the modification of award amount doth order and decree as
follows:-

(1) That the award passed by the Motor Accidents Claims Tribunal
/ Additional Sub Court, Tenkasi, dated 02.12.2016 made in MCOP
No.289 of 2011, in be and hereby is reduced to **Rs.10,92,800/-**
(Rupees Ten Lakh Ninety Two Thousand and Eight Hundred Only) from
Rs.14,31,000/-;

<https://hcservices.ecourts.gov.in/hcservices/>

(2) That the Appellant/Transport Corporation be and hereby is
directed to deposit the modified amount, together with interest



at 7.5% p.a. from the date of claim petition till the date of deposit, less the amount already deposited, within a period of 6 weeks from the date of receipt of copy of this judgment;

(3) That on such deposit being made, the claimants be and hereby are entitled to get equal share with accrued interest and costs without filling formal petition before the Tribunal; and

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Additional Subordinate Judge,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
Tenkasi.

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-11033 dated 15/03/2021)

+1 CC to M/s.N.SHANKAR GANESH, Advocate (SR-11149 dated 15/03/2021)

ORDER DATED : 15/03/2021

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DECREE

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CMA(MD). No.564 of 2018

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part preferred against the judgment and decree of the Motor Accidents Claims Tribunal / Additional Sub Court, Tenkasi, dated 02.12.2016 made in MCOP No.289 of 2011, as stated within, etc.

RD(4.08.2021) 2P 6C