



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

**Wednesday, the Ninth day of June Two Thousand and Twenty One
PRESENT**

**The Hon`ble Mrs.Justice T.KRISHNAVALLI
CMA(MD)No.569 of 2017**

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THE BRANCH MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
PERIYAMILAGUPARAI TRICHY. **... Appellant/Respondent**

/ VERSUS /

MANIMARAN **... Respondent**

Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the AWARD of the Motor Accident Claims Tribunal, Sub Court, Pudukottai, dated 06.04.2016, made in MCOP No. 102 of 2014.

DECREE:-This Civil Miscellaneous Appeal coming up for hearing on Tuesday, the Twenty Third day of February, Two Thousand and Twenty One, upon perusing the Grounds of Appeal, the award of the Tribunal below and the material papers to the Appeal and upon hearing the arguments of MR.P.PRABHAKARAN, Advocate for the Appellant and of MRS.A.BANUMATHY, Advocate for the Respondent, 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 negligence be and hereby fixed at the ratio of 70% on the side of the bus driver and 30 % on the part of the rider of the two wheeler and accordingly, the Claimant entitled to Rs.84,000/- (Rupees Eighty Four Thousand only) ;

(2) that the Appellant Transport Corporation be and hereby is directed to deposit their apportionment of negligence amount as fixed by this Court before the Tribunal below, together with interest at the rate of 7.5 % p.a. from the date of claim petition, till the date of deposit ;

(3) that, on such deposit, the Claimant be and hereby is entitled to withdraw the entire amount without filing any formal petition before the Tribunal ;

(4) that, the excess amount if any, shall be refunded to the Appellant Transport Corporation and

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //



TO

The MOTOR ACCIDENT CLAIMS TRIBUNAL,
Sub Court, Pudukkottai.

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

ORDER DATED : 09/06/2021

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DECREE

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CMA(MD) No.569 of 2017

Nature of Decree:- ALLOWING THE
APPEAL IN PART preferred against
the AWARD of the Motor Accident
Claims Tribunal, Sub Court,
Pudukkottai, dated 06.04.2016,
made in MCOP No. 102 of 2014.

CN(17.08.2021) 2P 4C