

IN THE HIGH COURT OF JUDICATURE AT MADRAS

TUESDAY THE SEVENTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY TWO

PRESENT :

THE HONOURABLE MRS JUSTICE S.KANNAMMAL

Civil Miscellaneous Appeal No. 1531 of 2018

N.Sivakumar

... Appellant/Petitioner

-Vs-

The Managing Director,

TNSTC (Villupuram Divisional-I)

No.3/137, Salamedu, Vazhudhareddy Post,

Villupuram 605 602.

...Respondents/Respondents

Prayer :-Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award and Decree dated 28.02.2018 made in M.C.O.P. No.3147 of 2012 on the file of Motor Accidents Claims Tribunal, II Additional Subordinate Judge, Cuddalore.

Decree :- This Civil Miscellaneous Appeal coming on for hearing on Wednesday the Twenty Fourth day of November Two Thousand and Twenty One upon perusing the grounds of Appeal, the award of the Tribunal below and the material papers in this case and upon hearing the arguments of Mrs.Ramya V.Rao for Mr.R.Sreedhar, Advocate for the Appellant and Mr. K.J.Sivakumar, Advocate for the Respondent, and this Court having stood over consideration till this day, this court while allowing in part the Civil Miscellaneous Appeal by modifying the award of the Tribunal, doth order and decree as follows :-

i)That the Compensation awarded by the Motor Accidents Claims Tribunal, II Additional Subordinate Judge, Cuddalore dated 28.02.2018 made in M.C.O.P. No.3147 of 2012, be and hereby is enhanced to Rs.3,81,000/- (Rupees Three Lakhs Eighty One Thousand only) from Rs.2,82,000/- (Tribunal award) together with interest at the rate of 7.5% per annum from the date of petition till the date of deposit;

ii))That the respondent Transport Corporation herein is directed to deposit the enhanced award amount along with interest and costs, less the amount already deposited, if any, within a period of twelve weeks from the date of receipt of a copy of this order;

iii)That on such deposit, the appellants/claimants herein are permitted to withdraw the enhanced award amount along with interest and costs, less the amount if any, already withdrawn;

iv)that there be no costs in this Civil Miscellaneous Appeal.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

To

The Motor Accidents Claims Tribunal,
II Additional Subordinate Judge,
Cuddalore.

Copy to:

The Section Officer,
Vernacular Records,
High Court, Madras-104.

+1cc to M/s.K.J.Sivakumar, Advocate Sr.10648
+1cc to M/s.Ramya V.Rao, Advocate Sr.10664

Date: 17.02.2022
DECREE
C.M.A.No.1531 of 2018

Allowing the Civil Miscellaneous Appeal preferred against the judgment and Decree dated 28.02.2018 made in M.C.O.P. No.3147 of 2012 on the file of Motor Accidents Claims Tribunal, II Additional Subordinate Judge, Cuddalore , etc. as stated therein.

rp[col]
srg 08/03/2022