



IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

WEB COPY

PRESENT

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

CMA.No.834 of 2018
and
CMA.No.385 of 2019

1.K.Muruvammal
2.K.Arivazhagan
3.K.Amulu ...Appellants/Petitioners in CMA No.834 of 2018

 ...Respondents/Petitioners in CMA.No.385 of 2019

Metropolitan Transport Corporation
(Chennai Division) Ltd., rep. by its
Managing Director, Pallavan Salai,
Chennai - 600 002.

 ...Respondent/Respondent in CMA No.834 of 2018

 ...Appellant/Respondent in CMA No.385 of 2019

Common Prayer: These Civil Miscellaneous Appeals filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree dated 28.08.2017 made in M.C.O.P No.4676 of 2013 on the file of the II Small Causes Court(Motor Accidents Claims Tribunal) Chennai.

Decree: These Civil Miscellaneous Appeals are coming on for hearing on this day upon perusing the grounds of Appeal, the Judgment and Decree of the lower court and material records made available in this case and upon hearing the arguments of Mrs.N.M.Muthurajan, Advocate for the Appellants in CMA.No.834/2018 and for Respondents in CMA.No.385/2019 and of Mr.S.Swaminathan, Advocate for the Respondent in CMA.No.834/2018 and for Appellant in CMA.No.385/2019 and this Court, While allowing the Civil Miscellaneous Appeal No.385/2019 in part and disposing the CMA.No.834/2018, doth order and decree as follows:-

1. That the award of compensation passed by the Motor Accidents Claims Tribunal, II Small Causes Court, Chennai, dated 28.08.2017 and made in M.C.O.P.No.4676 of 2013, be and hereby is reduced from Rs.14,71,000/- (Rupees Fourteen Lakhs Seventy One Thousand only) to Rs.14,41,000/- (Rupees Fourteen Lakhs Forty One Thousand only).



2. That the Respondent herein in CMA.No.834/2018/ Respondents in CMA.No.385/2019 / Transport corporation be and hereby is directed to deposit aforesaid claim amount with interest at the rate of 7.5% from the date of filing of the petition till the date of deposit, within a period of eight weeks from the date of receipt of a copy of the Judgment, if any after adjusting the amount had been deposited in pursuant to directions of this Court, dated 31.01.2019 made in CMP.No.1369/2019 in CMA.No.385/2019.

3. That on such deposit the appellants herein/Claimants in CMA.No.834/2018/Respondents in CMA.No.385/2019 be and hereby are permitted to withdraw the same.

4. That the Appellants 2 and 3 herein in CMA.No.834/2018/Respondents 2 & 3 in CMA.No.385/2019/Claimants 2 & 3 be and hereby are entitled to get each Rs.3,00,000/- (Rupees Three Lakhs Only) and the 1st appellant herein in CMA No.834 of 2018/1st Respondent in CMA.No.385/2019/1st Claimant is entitled for balance amount and accrued interest shall also be apportioned among the Claimants accordingly.

5. That there be no costs in this Civil Miscellaneous Appeals.

-s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

smv

To:-

1.Motor Accidents Claims Tribunal
The II Judge,
Small Causes Court
Chennai.

Copy To:

The Section Officer,
VR Section,
High Court Madras.

+2cc to Mr.S.Swaminathan, Advocate, S.R.No.20755, 20756

+1cc to Mr.M.Muthurajan, Advocate, S.R.No.20698



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Order date: 25/03/2022

Decree:

CMA.No.834 of 2018
and
CMA.No.385 of 2019

Allowing the
CMA.No.385/2019 in part
and Disposing the
CMA.No.834/2018 preferred
against the Judgment and
Decree dated 28/08/2017
made in M.C.O.P No.4676
of 2013 on the file of
the II Small Causes Court
(Motor Accidents Claims
Tribunal) Chennai, etc.,
as stated within.

RR (CO)
RN (25/05/2022)