

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.A. NAKKIRAN

C.M.A.(MD)No.1106 of 2009 and
MP(MD).No.2 of 2009 and CMP(MD).No.8209 of 2016

Tamil Nadu State Transport Corporation
rep. by its Managing Director,
Kancheepuram,
Villupuram

... Appellant/Respondent

Vs.

Kumar

... Respondent/Petitioner

PRAYER: Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgement and award, dated 04.08.2008 made in M.C.O.P.No. 242 of 2007, on the file of the Motor Accident Claims Tribunal, Sub Court, Kulithalai.

For Appellant	: Mr. S. Royce Emmanuel
For respondent	: Mr.T.M.Hariharan

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JUDGMENT

This Civil Miscellaneous Appeal has been filed by the appellant / Transport Corporation against the award, dated 04.08.2008, made in M.C.O.P.No.242 of 2007, on the file of the Motor Accident Claims Tribunal / Sub Court, Kulithalai.

2.The appellant / Transport Corporation is the respondent in M.C.O.P.No.242 of 2007. The respondent/claimant filed a claim petition before the Motor Accident Claims Tribunal Sub Court, Kulithalai, claiming a sum of Rs.10,00,000/- as compensation, for the injuries sustained by him in the accident that occurred on 29.04.2007.

3. The Tribunal, considering the pleadings, oral and documentary evidence, awarded a total sum of Rs.1,01,600/- as compensation.

4. Aggrieved against the Award passed by the Tribunal, the appellant / Transport Corporation has filed the present Civil Miscellaneous Appeal.

5. Today, when the matter was taken up for hearing, the learned counsel appearing for the appellant / Transport Corporation submitted that the appellant concedes with the Award passed by the Tribunal and he is not willing to proceed with the appeal.

6. In view of the said submission made by the learned counsel for the appellant / Transport Corporation, the Civil Miscellaneous Appeal is dismissed by confirming the Award, dated 04.08.2008, made in M.C.O.P.No.242 of 2007, on the file of the Motor Accident Claims Tribunal / Sub Court, Kulithalai. The appellant/Transport Corporation is directed to deposit the entire award amount to the credit of M.C.O.P.No. 242 of 2007, on the file of the Motor Accident Claims Tribunal / Sub Court, Kulithalai, less the amount already deposited, if any, along with interest at the rate of 7.5% per annum from the date of petition till date of realization and proportionate costs, within a period of six weeks from the date of receipt of a copy of this Judgment.

7. On such deposit being made, the respondent/claimant is entitled to

withdraw the award amount with interest by making necessary application before the Tribunal. No costs. Consequently, the connected Miscellaneous Petitions are closed.

07.09.2022

Index :Yes/No
Internet :Yes/No
trp

To

1. The Motor Accident Claims Tribunal, Sub Court, Kulithalai.
- 2.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.A.(MD)No.1106 of 2009

A.A. NAKKIRAN, J.,

trp

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