



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

Wednesday, the Sixth day of April Two Thousand and Twenty Two
PRESENT

The Hon`ble MR. Justice R. SUBRAMANIAN
AND

The Hon`ble MR. Justice N. SATHISH KUMAR
C.M.A. (MD) No.331 of 2022

The Managing Director.

M/s. Tamilnadu State Transport Corporation Ltd.,
Kumbakonam Division -II,
Periyamilaguparai,
Trichy.

...Appellant / 2nd Respondent

Vs

1. S. Victor Alexandar
2. V. Thiruthuvarani

...Respondents/ Claimants

Prayer:- This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award dated 10/01/2020 made in M.C.O.P No. 707 of 2014 on the file of the Motor Accident Claims Tribunal, (Special District Court to deal with MCOP Cases), Tiruchirappalli.

DECREE:- This Civil Miscellaneous Appeal having come up for final hearing on this day; upon perusing the grounds of Appeal, the award of the Tribunal and the material papers to this case and upon hearing the arguments of Mr. P.M. Vishnuvarthanan, Advocate for the Appellant and Mr. B. Saravanan, Advocate for the Respondents; this Court while allowing this Civil Miscellaneous Appeal in part and reducing the award of the Tribunal; doth order and decree as follows:-

1. That the award dated 10/01/2020 made in M.C.O.P No. 707 of 2014 on the file of the Motor Accident Claims Tribunal, (Special District Court to deal with MCOP Cases), Tiruchirappalli be and hereby is reduced from Rs. 66,17,620/- (Rupees Sixty six lakh Seventeen thousand six hundred and Twenty only) to Rs.65,37,620/- (Rupees Sixty Five lakh Thirty five thousand six hundred and Twenty only);
2. That the Appellant herein/ Transport Corporation is be and hereby directed to deposit the modified award amount of Rs.65,37,620/- (Rupees Sixty Five lakh Thirty five thousand six hundred and Twenty only) with interest @ 7.5% per annum, from the date of petition till the date of deposit and costs, to the credit of M.C.O.P No. 707 of 2014 on the file of the Motor Accident Claims Tribunal, (Special District Court to deal with MCOP Cases), Tiruchirappalli within three months from the date of receipt of a copy of this order;
3. That on such deposit being made, the Claimants shall withdraw the entire amount, the first respondent herein / 1st claimant, father of the deceased is be and hereby entitled to



a sum of Rs.26,17,620/- and the mother of the deceased is be and hereby entitled to a sum of Rs.39,20,000/- with proportionate interest and costs; and

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

Sd/-

Assistant Registrar (CS III)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

The District Judge,
Motor Accident Claims Tribunal,
(Special District Court to deal with MCOP Cases),
Tiruchirappalli.

Copy to:

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

+1CC to Mr. P.M. Vishnuvarthanan, Advocate in Sr. No.16890.

+1CC to Mr. B. Saravanan, Advocate in Sr. No.17078.

ORDER DATED 06.04.2022

DECREE

C.M.A. (MD) No. 331 of 2022

Allowing the Civil Miscellaneous Appeal in part preferred against the award dated 10/01/2020 made in M.C.O.P No. 707 of 2014 on the file of the Motor Accident Claims Tribunal, (Special District Court to deal with MCOP Cases), Tiruchirappalli etc., as stated within.

MGJ(22.04.2022) 2P 6C