

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.09.2022**

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.M.A(MD)No.1676 of 2013

and

M.P(MD) No.1 of 2013

Tamil Nadu State Transport Corporation,
Represented by its Managing Director,
Villupuram Limited,
3/137, Salaimedu,
Villupuram

... Appellant

vs.

Shanthi

... Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 amended by Motor Vehicles (Amendment) Act, 1994, to set aside the judgment and decree passed by the learned Motor Accidents Claims Tribunal in M.C.O.P.No.825 of 2012 dated 25.04.2013 on the file of the Motor Accident Claims Tribunal, First Additional District Judge, (PCR Court), Thanjavur.

For Appellant : Mr.S.Royce Emmanuel

For Respondent : Mr.M.Karunanithi

JUDGMENT

This Civil Miscellaneous Appeal has been filed by the appellant / Transport Corporation against the award, dated 25.04.2013, made in M.C.O.P.No.825 of 2012, on the file of the Motor Accident Claims Tribunal, First Additional District Judge (PCR Court), Thanjavur.

2. The appellant / Transport Corporation is the respondent in M.C.O.P.No.825 of 2012. The respondent/claimant filed a claim petition before the Motor Accident Claims Tribunal, First Additional District Court (PCR Court), Thanjavur, claiming a sum of Rs.50,00,000/- as compensation, for the injuries sustained by him in the road accident that occurred on 16.05.2012.

3. The Tribunal, after considering the oral and documentary evidences and arguments made on either side, partly allowed the claim petition and awarded a sum of Rs.9,28,700/- with 7.5% interest per annum as compensation to the claimant. Against which, the appellant/Transport Corporation has filed this present appeal.

4. Today, when the matter was taken up for hearing, the learned counsel appearing for the appellant / Transport Corporation submitted that now, the appellant has not challenged the award passed by the Tribunal and they concede that the Award passed by the Tribunal is just and reasonable. Therefore, the award passed by the Tribunal may be confirmed.

5. 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 25.04.2013, made in M.C.O.P.No.825 of 2012, on the file of the Motor Accident Claims Tribunal, First Additional District Judge (PCR Court), Thanjavur. The appellant/Transport Corporation is directed to deposit the entire award amount to the credit of M.C.O.P.No.825 of 2012, on the file of the Motor Accident Claims Tribunal, First Additional District Judge (PCR Court), Thanjavur, 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.

6. On such deposit being made, the respondent/claimant is entitled to withdraw the award amount, less the amount already withdrawn, if any, with interest by making necessary application before the Tribunal. No costs. Consequently, connected miscellaneous petition is closed.

09.09.2022

Index : Yes/No
Internet : Yes/No
cp

To

1. The Motor Accident Claims Tribunal,
First Additional District Judge, (PCR Court),
Thanjavur.
2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.A(MD)No.1676 of 2013

A.A.NAKKIRAN,J.

cp

JUDGMENT MADE IN
C.M.A(MD)No.1676 of 2013

09.09.2022