



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

Tuesday, the Fifteenth day of February Two Thousand
and Twenty Two

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMA(MD)Nos.187 of 2013 and 1471 of 2012

C.M.A(MD)No.187 of 2013

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT
CORPORATION
KUMBAKONAM.

... PETITIONER/APPELLANT

Vs

N.AMIRTHVALLI

... RESPONDENT/RESPONDENT

C.M.A(MD)No.1471 of 2012

N.AMIRTHVALLI

... APPELLANT/PETITIONER

Vs

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT
CORPORATION
KUMBAKONAM.

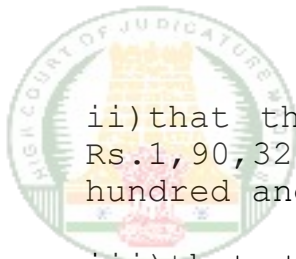
... RESPONDENT/RESPONDENT

Prayer in CMA(MD)Nos.187 of 2013 and 1471 of 2012 :- Civil Miscellaneous Appeals are filed under Section 173 of the Motor Vehicles Act,1988, against the Judgment and Decree passed in M.C.O.P.No.215 of 2010, dated 9.02.2011 on the file of the Motor Accidents Claims Tribunal cum Chief Judicial Magistrate Court, Thanjavur at Kumbakonam.

Decree:- These Civil Miscellaneous Appeals coming for final hearing on this day, upon perusing the Grounds of Appeal, the award of the Tribunal and the material papers of the Appeal and upon hearing the arguments of Mr.M.Prakash, Advocate for the Appellant in CMA(MD)No.187 of 2013 & Respondent in CMA(MD)No.1471 of 2012 and of Mr.S.Sivathilakar, Advocate for the Respondent in CMA(MD)No.187 of 2013 & Appellant in CMA(MD)No.1471 of 2012, this Court while allowing the Appeal in CMA(MD)No.1471 of 2012, doth order and decree as follows:-

i)that the award passed by the Motor Accident Claims Tribunal cum Chief Judicial Magistrate, Thanjavur at Kumbakonam, dated 09.02.2011 made in MCOP.No.215 of 2010 be and hereby modified and CMA(MD)No.187 of 2013 dismissed;

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ii)that the award of the Tribunal be and hereby is enhanced from Rs.1,90,324/- to Rs.2,05,324/- (Rupees Two Lakhs Five Thousandthree hundred and Twenty Four only);

iii)that the Respondent herein/State Transport Corporation in CMA (MD)No.1471 of 2012 be and hereby is directed to deposit the entire award amount within a period of eight weeks from the date of receipt of a copy of this order along with interest at the rate of 7.5%;

iv)that on such deposit, the Appellant herein/Claimant in CMA(MD) No.1471 of 2012 be and hereby is permitted to withdraw the award amount, by filing necessary application before the Tribunal; and

v)That there be no costs in these Civil Miscellaneous Appeals.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Chief Judicial Magistrate,
Motor Accident Claims Tribunal,
Thanjavur at Kumbakonam.

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court, Madurai (2 copies)

+1 CC to M/s.S.SIVA THILAKAR, Advocate, SR.No.6324

ORDER DATED : 15/02/2022

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DECREE

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CMA(MD)Nos.187 of 2013 and 1471 of 2012
Nature of Decree:-Allowing the Civil
Miscellaneous Appeal preferred against the
award and Decree dated 09.02.2011 made in
MCOP.No.215 of 2010 on the file of the Chief
Judicial Magistrate, MACT, Thanjavur at
Kumbakonam, etc., as stated within.

KB(22.03.2022) 2P 5C