



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Wednesday, the Nineteenth day of January Two Thousand and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD)No.1918 of 2013

VITHYA

... APPELLANT/PETITIONER

Vs

TAMIL NADU STATE TRANSPORT
CORPORATION LIMITED

REP BY ITS GENERAL MANAGING DIRECTOR,
VANNARAPETTAI
TIRUNELVELI.

... RESPONDENT/RESPONDENT

Prayer :- Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to allow this appeal and enhance the award amount in M.C.O.P.No.162 of 2010 on the file of the Motor Accident Claims Tribunal, Principal Sub Court, Tirunelveli, dated 04.01.2013.

Decree: This Civil Miscellaneous Appeal coming up for final hearing on Tuesday Twenty Sixth day of October Two Thousand and Twenty One, upon perusing the grounds of Appeal, the order of this Tribunal and the material papers of the case and upon hearing the arguments of Mr.T.Selvakumaran, Advocate for the Appellant, and Mr.P.Prabhakaran, Advocate for the Respondent, and having stood over for consideration till this date, this Court while allowing this appeal in part doth order and decree as follows:-

i)That the compensation awarded in MCOP.No.162 of 2010 dated 04.01.2013 on the file of the Principal Subordinage Judge, Motor Accident Claims Tribunal, Tirunelveli, be and hereby is enhanced from Rs.5,50,550/- to Rs.7,20,000/- (Rupees Seven Lakhs and Twenty Thousand only),

ii)That the respondent is directed to deposit Rs.7,20,000/- in M.C.O.P.No.162 of 2010, along with interest at the rate of 7.5% p.a from the date of petition till the date of deposit with cost within a period of eight weeks from the date of receipt of a copy of the judgment herein, if not already deposited;

iii)That on such deposit being made, the appellant/claimant in CMA (MD)No.1918 of 2013 be and hereby is permitted to withdraw the entire award amount, after deducting amount, if any, already



received by him;

iv) That the Appellant/Claimant is not entitled for interest for the default period, if there is any default; and

v) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TO

The Principal Subordinate Judge,
Motor Accident Claims Tribunal,
Tirunelveli.

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.T.SELVAKUMARAN, Advocate, SR-2060

+1 CC to M/s.P.PRABHAKARAN, Advocate, SR-1769

ORDER DATED : 19/01/2022

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DECREE

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CMA(MD) No.1918 of 2013

Nature of Decree:- Partly Allowing the Civil Miscellaneous Appeal preferred against the Principal Subordinate Judge, MACT, Tirunelveli, dated 04.01.2013 made in MCOP.No.162 of 2010.

KB(16.02.2022) 2P 6C