



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

**Tuesday, the Twenty Sixth day of April Two Thousand Twenty Two
PRESENT**

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMA(MD) . No.95 of 2019

WEB COPY

1. M.MUNIYAMMAL

2. M.RAVIKUMAR

3. M.BALAMURUGAN

... Appellants/ Petitioners

Vs

1 TAMIL NADU STATE TRANSPORT
CORPORATION (KUMBAKONAM) LIMITED,
THROUGH ITS GENERAL MANAGER,
KARAIKUDI DIVISION.

... Respondent/ Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the judgment and decree of the Motor Accident Claims Tribunal cum Principal District Judge, Tuticorin, dated 13.11.2017 made in MCOP No.412 of 2016.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.D.SELVANAYAGAM, Advocate for the Appellants and of Mr.P.PRABHAKARAN, Advocate for the respondent, and on perusal of the payment of Court fee at the time of filing the appeal itself and this Court while allowing this appeal in part with the modification of the award passed by the Tribunal below, doth order and decree as follows:-

(1) That the quantum of compensation award passed by the the Motor Accident Claims Tribunal cum Principal District Judge, Tuticorin, dated 13.11.2017 made in MCOP No.412 of 2016 be and hereby is enhanced from Rs.7,28,500/- to Rs.7,94,200/- (Rupees Seven Lakhs Ninety Four Thousand and Two Hundred Only) with the interest at the rate of 7.5 % per annum; and

(2) That the Respondent herein/Transport Corporation be and hereby is directed to deposit the entire compensation of Rs.7,94,200/-, (if not already deposited) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit in the credit of MCOP No.412 of 2016 on the file of the



Motor Accidents Claim Tribunal Cum Principal District Judge, Tuticorin within a period of eight weeks from the date of receipt of copy of this judgment; and

(3) That on such deposit being made, the appellants herein / claimants be and are hereby permitted to withdraw the entire compensation awarded to them as per the apportionment made by the Tribunal; And

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Principal District Judge,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
Tuticorin.

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.D. SELVANAYAGAM, Advocate (SR-21382 dated 26/04/2022)

+1 CC to M/s.P. PRABHAKARAN, Advocate (SR-21290 dated 26/04/2022)

ORDER DATED : 26/04/2022

DECREE

CMA(MD). No.95 of 2019

Nature of Decree:- Allowing the Civil Miscellaneous Appeal preferred against the judgment and decree of Motor Accident Claims Tribunal cum Principal District Judge, Tuticorin, dated 13.11.2017 made in MCOP No.412 of 2016.

RK(03/06/2022) 2P 6C