



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

Friday, the Twenty Second day of April, Two Thousand and Twenty Two

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PRESENT

The Honourable Mr.Justice RMT.TEEKARAMAN

CMA(MD). No.656 of 2019

The Managing Director,
Tamil Nadu State Transport Corporation ,
Having office at periyamilaguparai,
Trichy ... Appellant/ Respondent

Vs

Saleema ... Respondents /Petitioner

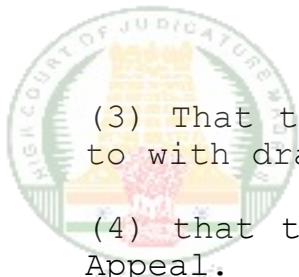
Prayer:- Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to against the award of Judgment and Decree dated 15.11.2018 made in M.C.O.P No. 1084 of 2017 on the file of the Motor Accident Claims Tribunal(Special District Court), Thanjavur

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Thursday the Twenty Fourth day of March Two Thousand Twenty Two , 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. A.Balaji Advocate for Mr.D.Sivaraman Advocate for the Appellant and of Mr.N.Tamilmani Advocate for the respondent and having stood over the consideration till this date and this Court observing that the Appellant herein/Insurance company have already been deposited the entire award amount before the Tribunal and while allowing the Appeal in part and modifying the award of Tribunal, doth order and decree as follows:-

1) That the award dated 15.11.2018 passed in M.C.O.P.No 1084 of 2017 on the file of the Motor Accident Claims Tribunal(Special District Court), Thanjavur, be and hereby is reduced from of Rs.5,45,797/- (Rupees Five Lakhs and Forty Five thousand seven hundred and ninety seven only) to of Rs.4,37,997/- (Rupees Four Lakhs and Thirty Seven thousand nine hundred and ninety seven only) with interest at the rate of 7.5% per annum ,

(2) That the appellant herein/Insurance company be and hereby is entitled to withdraw the excess amount, if any ,



(3) That the respondent herein/claimant be and hereby is at liberty to withdraw the same, after following due process of law,

(4) that there be no order as to costs in this Civil Miscellaneous Appeal.

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Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Special District Judge,
Motor Accident Claims Tribunal, Thanjavur.

Copy to:

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

+1 CC to Mr. D.Sivaraman, Advocate, SR.No.20773

ORDER DATED 22.04.2022

**DECREE
+
Judgment**

C.M.A(MD). No.656 of 2019

Partly Allowing the Civil Miscellaneous Appeal filed against the award dated 15.11.2018, made in M.C.O.P.No.1084 of 2017, on the file of the Motor Accident Claims Tribunal(Special District Court), Thanjavur etc., as stated within.

SS/30.05.2022 : 2P/5C