



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Tuesday, the Eleventh day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD) . No.1337 of 2014

K.SETTU

... Appellant/Petitioner

Vs

1 THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
KUMBAKONAM DIVISION II,
PERIYAMILAGUPARAI,
TRICHY-1.

... Respondent/Respondent

Prayer:-

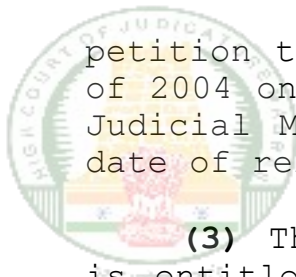
Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to enhance the award amount passed in M.C.O.P.No.291 of 2004, dated 20.08.2008 on the file of the Motor Accident Claims Tribunal cum Chief Judicial Magistrate, Trichy.

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.VINOTH RAJ for MR.B.PRASANNA VINOTH, Advocate for the Appellant and of MR.A.BALAJI for MR.D.SIVARAMAN, Advocate for the respondent, this Court while allowing the Appeal in part, doth order and decree as follows:-

(1) That the the award amount passed in M.C.O.P.No.291 of 2004, dated 20.08.2008 on the file of the Motor Accident Claims Tribunal cum Chief Judicial Magistrate, Trichy be and hereby is enhanced from Rs.39,000/- (Rupees Thirty Nine Thousand only) to Rs.50,000/- (Rupees Fifty thousand only) with interest at the rate of 7.5% per annum.

(2) That the Respondent herein /Tamil Nadu State Transport Corporation Ltd., be and hereby is directed to deposit enhanced compensation award amount i.e. Rs.50,000/- (Rupees Fifty thousand only) less the amount already deposited, if any, together with interest at the rate of 7.5% per annum from the date of claim



petition till the date of deposit, to the credit of M.C.O.P.No.291 of 2004 on the file of the Motor Accident Claims Tribunal cum Chief Judicial Magistrate, Trichy within a period of two weeks from the date of receipt of a copy of this order and;

(3) That on such deposit being made, the appellant/ claimant is entitled to withdraw the same by filing necessary application before the Tribunal; and

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Motor Accident Claims Tribunal cum
Chief Judicial Magistrate, Trichy.

Copy to:

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

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-1192 dated 11/01/2022)

+1 CC to M/s.B.PRASANNA VINOTH, Advocate (SR-1401 dated
12/01/2022)

ORDER DATED 11.01.2022

DECREE

C.M.A(MD) . No.1337 of 2014

Allowing the Civil Miscellaneous
Appeal in partly to enhance the award
dated 20.08.2008 on the file of the
Motor Accident Claims Tribunal cum
Chief Judicial Magistrate, Trichy
passed in M.C.O.P.No.291 of 2004
etc., as stated within.

KB(18.02.2022) 2P 6C