



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Nineteenth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD). No.618 of 2014

THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LIMITED
AT KARAISKUDI.

... APPELLANT/1ST RESPONDENT

Vs

1.A.KARUNANIDHI ... 1ST RESPONDENT/PETITIONER
2.SELVARANI ... 2ND RESPONDENT/2ND RESPONDENT
3.ROYAL SUNDARAM ALLIANCE
INSURANCE COMPANY LIMITED,
KRISHNARAYAR TANK ROAD,
MADURAI. ... 3RD RESPONDENT/3RD RESPONDENT

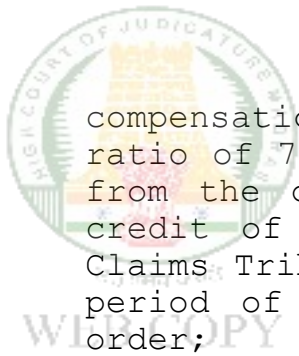
Prayer :- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 to set aside the Judgment and Decree dated 21.07.2012 in M.C.O.P.No.511 of 2010 on the file of the Motor Accidents Claims Tribunal, IV Additional Subordinate Court, Madurai.

Decree: This Civil Miscellaneous Appeal coming for final hearing and upon perusing the grounds of Appeal, the order of the Tribunal and the material papers of the Appeal and upon hearing the arguments of Mr.A.Balaji, Advocate for Mr.D.Sivaraman, Advocate for the Appellant, Mr.M.P.Senthil, Advocate for the 1st Respondent, Mr.M.Jerin Mathew, Advocate for the 3rd Respondent and 2nd Respondent not appeared either in person or by Advocate, this Court doth order and decree as follows:-

i)That the award made in M.C.O.P.No.511 of 2010 dated 21.07.2012 by the Motor Accidents Claims Tribunal, IV Additional Subordinate Judge, Madurai, be and is hereby set aside and the Civil Miscellaneous Appeal is partly allowed;

ii)That the Appellant/Transport Corporation and the Third Respondent/Insurance Company are directed to deposit the

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compensation awarded by the Tribunal i.e., Rs.2,10,000/- in the ratio of 70:30 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 MCOP.No.511 of 2010 on the file of the Motor Accident Claims Tribunal, IV Additional Subordinate Court, Madurai, within a period of six weeks from the date of receipt of a copy of this order;

ii) That on such deposit being made, the first Respondent/Claimant be and hereby is at liberty to withdraw the same after following due process of law; and

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

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO
The IV Additional Subordinate Judge,
Madurai.

Copy to:

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

+1 CC to Mr.D.SIVARAMAN, Advocate SR.No. 1784

ORDER DATED : 19/01/2022

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DECREE

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CMA(MD).No.618 of 2014

Nature of Decree:- Partly
Allowing the Civil
Miscellaneous Appeal preferred
to set aside the Judgment and
Decree dated 21.07.2012 passed
in MCOP.No.511 of 2010 on the
file of the Motor Accident
Claims Tribunal, IV Additional
Subordinate Judge, Madurai, as
stated within.

KS (CO)

TR(04.03.2022) 2P 5C

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