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C.R.P(MD)No.230 to 238 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM:

THE HONOURABLE MRS.JUSTICE **S. ANANTHI**

CRP(MD).No.230 to 238 of 2016 and

C.M.P(MD).Nos. 983 to 991 of 2016

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Maruthupathy Nagar,
Karaikudi. ... Petitioner / 3rd respondent
in all CRPs

Vs.

N.Arjunan .. 1st respondent in CRP(MD)No.230/2016

Lakshmi .. 1st respondent in CRP(MD)No.231/2016

K.Ganesan .. 1strespondent in CRP(MD)No.232/2016

M.Vairamani .. 1strespondent in CRP(MD)No.233/2016

G.Deivanai .. 1strespondent in CRP(MD)No.234/2016

Minor.Veera Pathira Hariharan
rep. through his mother K.Padmavathy
.. 1strespondent in CRP(MD)No.235/2016

K.Padmavathy .. 1strespondent in CRP(MD)No.236/2016

Banumathy .. 1strespondent in CRP(MD)No.237/2016

Minor Irulandi .. 1st respondent in CRP(MD).No.238/2016
(rep. by his father Ganesan)

2.Muthurakku

3.The Divisional Manager,
National Insurance Company Ltd.,
No.3, North Veli Street,
Madurai. ... Respondents 2 and 3
in all CRPs



COMMON PRAYER: These Civil Revision Petitions are filed under Article 227 of the Constitution of India against the Judgment and Decree made in MCOP.Nos.814, 815, 819, 820, 821, 822, 823, 824, 1011 of 2006, dated 28.02.2013 on the file of the Motor Accidents Claims Tribunal / V Additional District Court, Madurai.

For Petitioner in all CRPs : Mr. P. Prabhakaran

For 1st Respondent in all CRPs : Mr. A. Rahul

For 3rd respondent in all CRPs : Mr. J.S. Murali

COMMON ORDER

These Civil Revision Petitions have been filed to set aside the Award, dated 28.02.2013 made in MCOP.Nos.814, 815, 819, 820, 821, 822, 823, 824, 1011 of 2006, on the file of the Motor Accidents Claims Tribunal / V Additional District Court, Madurai, on the ground that the accident had occurred only on the fault of the Lorry and the FIR has also been registered against the driver of the Lorry. But, the Tribunal has fastened 50% liability on the driver of the Lorry and 50% on the driver of the Transport Corporation bus.

2. Today, when the matters are taken up for hearing, the learned counsel appearing for the petitioner / Transport Corporation submitted that the Award passed by the Tribunal may be confirmed, for which, the learned counsel appearing for the 1st respondent has also no objection. It is also submitted that the 3rd respondent / Insurance Company has already settled their share amount.

3. In view of the submission made by the learned counsel appearing on either side, these Civil Revision Petitions are dismissed by confirming the Award, dated 28.02.2013 made in MCOP.Nos.814, 815, 819, 820, 821, 822, 823, 824, 1011 of 2006, on the file of the Motor Accidents Claims Tribunal / V Additional District Court, Madurai.

4. The petitioner / Transport Corporation is directed to deposit their share amount together with proportionate interest and costs to the credit of MCOP.Nos.814, 815, 819, 820, 821, 822, 823, 824, 1011 of 2006, on the file of the Motor Accidents Claims Tribunal / V Additional District Court, Madurai, after deducting the amount already deposited if any, within a period of four weeks from the date of receipt of copy this order. On such deposit, the claimants are permitted to withdraw the same on filing necessary



C.R.P(MD)No.230 to 238 of 2016

application before the Tribunal. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

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/ /2022

Sub Assistant Registrar(CS)

trp

To

The Motor Accidents Claims Tribunal /
V Additional District Judge, Madurai.

+9 CC to M/s.J.S. MURALI, Advocate (SR-21355 to 21363[F] dated
26/04/2022)

+9 CC to M/s.P. PRABHAKARAN, Advocate (SR-20557 to 20565[F] dated
22/04/2022)

CRP(MD).No.230 to 238 of 2016 and
C.M.P(MD).Nos. 983 to 991 of 2016
22.04.2022

sp(CO)

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