



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

Wednesday, the Second day of February Two Thousand Twenty Two
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI
CMA(MD) . No.1056 of 2021

WEB COPY

The General Manager,
Tamil Nadu State Transport Corporation,
Bye Pass Road, District Collectorate Post,
Dindigul. ... Appellant/Respondent

Vs

1 Balamani
2 Ramaraj
3 Minor. Moorthy,
4 Nachammal
5 Neelappa Gounder
(Minor 3rd Respondent represented through his
Natural guardian/Mother 1st Respondent herein)
... Respondents/Petitioners

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the Judgment and Decree of the Motor Accidents Claims Tribunal/Principal District Court, Dindigul, dated 24.02.2021 made in M.C.O.P.713 of 2018.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this day, upon perusing the Grounds of Appeal, the award of the Tribunal and the material papers to the Appeal and upon hearing the arguments of Mr.K.SUDALAIANDI, Advocate for the Appellant and the Respondents not appeared in persons or by an Advocate, this Court while Allowing the Appeal in part, and in modification of the award of the Tribunal below, doth order and decree as follows:-

(1) That, the quantum of compensation awarded by the Motor Accidents Claims Tribunal/Principal District Court, Dindigul, dated 24.02.2021 made in M.C.O.P.713 of 2018, be and hereby is confirmed;

(2) that, the Appeallant/Transport Corporation be and hereby directed to deposit the 90% of the compensation amount awarded by the Tribunal (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 date of deposit to the credit of M.C.O.P.713 of 2018 on the file of the Motor Accidents Claims Tribunal/Principal District Court, Dindigul within a period of six weeks from the date of receipt of copy of this order;

<https://hccservices.tnhighcourt.gov.in/hccservices/> (3) Such deposit being made, the Respondents 1,2,4& 5 /



Claimants 1,2,4 &5 be and hereby at liberty to withdraw the award amount so deposited, as per the apportionment made by the Tribunal along with proportionate interest and costs after following due process of law;

(4) that, the share of the minor 3rd Respondent be and hereby directed to deposited in any one of the Nationalized Banks till he attains majority;

(5) that, the first respondent/ mother and guardian of the minor third respondent be and hereby permitted to withdraw the interest from the above said deposit, once in three months directly from the Bank and utilize the same for the welfare of the child and

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

The Motor Accidents Claims Tribunal/
Principal District Court, Dindigul

Copy to:

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

+1 CC to Mr.K.SUDALAIYANDI, Advocate (SR-3736)

ORDER DATED : 02/02/2022

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DECREE

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CMA(MD) . No.1056 of 2021

Nature of Decree:- Allowing the Civil Miscellaneous Appeal in part, preferred against the award of the Motor Accidents Claims Tribunal/Principal District Court, Dindigul, dated 24.02.2021 made in M.C.O.P.713 of 2018 and etc., stated within.

RD(08.03.2022) 2P 5C