



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

Thursday , Third day of November Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD) . No.1177 of 2018

STATE EXPRESS TRANSPORT,
CORPORATION LIMITED THROUGH ITS MANAGING ,
DIRECTOR PALLAVANSALAI CHENNAI

.... Appellant / Respondent

Vs

1 B.MURUGAN,
S/O.BHASKARA NADAR, NO.12-A, KAMARAJ NAGAR,,
TIRUNELVELI..

2 R.NAGALAKSHMI,
W/O.B.MURUGAN, NO.12-A, KAMARAJ NAGAR,,
TIRUNELVELI

... Respondents / Petitioners

Prayer:-

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 preferred against the award of the Motor Accident Claims Tribunal, Special Subordinate Court, Tirunelveli made in MCOP No.1149 of 2015 dated 18.07.2017.

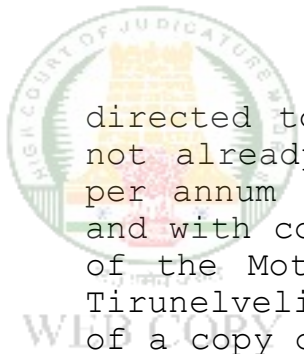
DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on Friday the Twenty third day of September Two thousand and 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.P.PRABHAKARAN, Advocate for the Appellant and of Mr.V.R.G.MOHAN, Advocate for the respondents, and having stood over for consideration till this date, this Court doth order and decree as follows:-

(1) That the award passed by the Motor Accident Claims Tribunal, Special Subordinate Court, Tirunelveli in MCOP No.1149 of 2015 dated 18.07.2017 be and hereby is modified and the Civil Miscellaneous Appeal is Partly Allowed.

(2) That the quantum of compensation awarded by the Tribunal is reduced from Rs.18,55,000/- to Rs.15,82,000/- (Rupees Fifteen lakhs eighty two thousand only) which shall carry interest at the rate of 7.5% per annum.

(3) That the Appellant Transport Corporation, be and hereby is



directed to deposit the entire compensation of Rs.15,82, (if not already deposited) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit and with costs to the credit of M.C.O.P. No.1149 of 2015 on the file of the Motor Accident Claims Tribunal/ Special Subordinate Court, Tirunelveli within a period of eight weeks from the date of receipt of a copy of this order, less any amount already deposited. Excess amount, if there is any is directed to be refunded to the appellant.

(4) That on such deposit being made by the appellant/transport corporation, the respondents are permitted to withdraw a sum of Rs.7,91,000/- (Rupees Seven Lakhs ninty one thousand only) each with interest and cost less any amount already withdrawn by them.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

To

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
SPECIAL SUBORDINATE COURT,
TIRUNELVELI.

Copy to:

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

+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-52839 dated 04/11/2022)

ORDER DATED : 03/11/2022

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DECREE

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CMA(MD). No.1177 of 2018

Nature of Decree:- Partly
Allowing the
Civil Miscellaneous
Appeal preferred against the
award of the Motor Accident
Claims Tribunal, Special
Subordinate Court,
Tirunelveli made in MCOP
No.1149 of 2015 etc., as
stated therein