



C.M.A.(MD)No.1167 of 2011

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

C.M.A.(MD)No.1167 of 2011

and

M.P.(MD)No.1 of 2011

The Managing Director,
Tamil Nadu State Transport
Corporation,
Kumbhakonam Division (IV),
Pudhukottai.

... Appellant

Vs.

1.Samudhayamani

2Jothimuthu

... Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the Judgment and Decree passed in M.C.O.P.No.28 of 2010 dated 09.12.2010 on the file of the Motor Accident Claims Tribunal, Devakottai.



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For Appellant : Mr.S.C.Herold Singh

For R-1 : Mr.S.Manikandan

JUDGMENT

This Civil Miscellaneous Appeal is filed to set aside the Judgment and Decree passed in M.C.O.P.No.28 of 2010 dated 09.12.2010 on the file of the Motor Accident Claims Tribunal, Devakottai.

2. Heard, the learned Counsel appearing for the appellant and the learned Counsel appearing for 1st respondent and perused the materials available on record.

3. The learned Counsel appearing for the appellant has submitted that the Tribunal has passed an award amount of Rs.4,51,318/- (Rupees Four Lakhs Fifty One Thousand Three Hundred and Eighteen only). The entire amount has already been deposited by the Insurance Company to the



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credit of M.C.O.P.No.28 of 2010 on the file of the Motor Accident Claims Tribunal, Devakottai. The amount of Rs.1,76,018/- (Rupees One Lakh Seventy Six Thousand and Eighteen only) has already been received by the claimants towards the medical expenditure.

4. On critical perusal of the entire award, it is made clear that the Tribunal has rightly assessed the oral and documentary evidence and arrived at the just and reasonable compensation. In view of the same, this Court is of the considered opinion that it is not necessary to interfere with the award passed by the Tribunal and the same is hereby confirmed. Accordingly, this Civil Miscellaneous Appeal is dismissed. Consequently, connected miscellaneous petition is closed.

5. The Insurance Company is directed to deposit the entire compensation amount as awarded by the Tribunal with accrued interest and costs to the credit of M.C.O.P.No.28 of 2010 on the file of the Motor Accident Claims Tribunal, Devakottai within a period of eight weeks (8) from the date of receipt of copy of this judgment, less the amount, if any



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already deposited. On such deposit, the claimant is permitted to withdraw the said amount, less the amount, if any already withdrawn, by making necessary application before the Tribunal. No costs.

21.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

The Motor Accident Claims Tribunal,
Devakottai.

Copy to

The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.,

Sml

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