



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MAI



(Civil Appellate Jurisdiction)

Thursday, the Second day of February Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMA(MD) . No.1787 of 2013

THE MANAGING DIRECTOR,
M/S.TAMILNADU STATE TRANSPORT CORPORATION LTD.,
KUMBAKONAM DIVISION-2, PERIYAMILAGUPARAI,
TRICHY-1.

... Appellant/Respondent

Vs

AMIRTHARAJ

... Respondent/Petitioner

Prayer :-

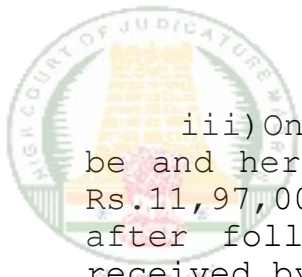
This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicle Act., 1988, to set aside the Judgment and Decree order dated 29.02.2012 made in MCOP No.498 of 2011 on the file of the Motor Vehicles Accident Claims Tribunal (I Additional Subordinate Judge)Tiruchirappalli.

Decree:-

This Civil Miscellaneous Appeal came up for hearing on Wednesday, the Seventh day of December, Two Thousand and Twenty Two, upon perusing the grounds of Appeal, the Award of the Tribunal and the material papers available to this case, and upon hearing the arguments of Mr.D.Sivaraman, Advocate for the Appellant, Mr.A.Saravanan, Advocate for the Respondent, and this court having stood over for consideration till this date, while allowing the Appeal in part, doth order and decree as follows:-

i)that award of the Motor Accident Claims Tribunal made in MCOP. No.498 of 2011 dated 29.02.2012 on the file of the MACT, I Additional Sub Court, Tiruchirappalli, be and is hereby reduced from Rs.12,00,000/-/- to Rs.11,97,000/- (Rupees Eleven Lakhs Ninety Seven thousand only);

ii)that the Appellant herein/Transport Corporation be and hereby is directed to deposit the compensation amount i.e.,Rs.11,97,000/- (Rupees Eleven Lakhs Ninety Seven thousand only) (Less the amount 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 cost to the credit of MCOP No.498 of 2011 dated 29.02.2012 on the file of the Motor Accident Claims Tribunal, I Additional Sub Court, Tiruchirappalli, within a period of eight weeks from the date of receipt of a copy of this order;



iii) On such deposit being made, the respondent herein, Claimant be and hereby is at liberty to withdraw the entire award amount of Rs.11,97,000/- (Rupees Eleven Lakhs Ninety Seven thousand only), after following the due process of law, less any amount already received by them;

iv) that the Respondent herein/Claimant is not entitled to interest for default period, if there is any; and

v) that there be no order as to costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(C.O)

// True Copy //

/03/2023

Sub Assistant Registrar(CS)

PNN

To

1. The Motor Accidents Claims Tribunal,
I Additional Sub Court,
Tiruchirapalli.

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

ORDER DATED : 02/02/2023

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DECREE

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CMA(MD). No.1787 of 2013

Partly Allowing the CMA(MD). No.1787 of 2013, preferred against MCOP No.498 of 2011 on the file of the Motor Vehicles Accident Claims Tribunal (I Additional Subordinate Judge) Tiruchirappalli.etc., as stated within.

SI(14.03.2023) 2P/ 4C