



Rev.Aplc.(MD).No.86 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Rev.Aplc(MD)No.86 of 2019

in

C.M.A(MD) No. 1022 of 2018

1. Krishnammal
2. Minor M.Mallika
3. Minor M.Jothi

(Minor petitioners 2 and 3 are represented through their mother and next friend 1st petitioner herein)

4. Balammal

... Petitioners /Respondents

-vs-

Tamil Nadu State Transport Corporation Limited,
Tirunelveli,
Trivandrum Road,
Vannarpettai, Tirunelveli -3,
Through its General Manager.

... Respondent/Appellant

PRAYER: Civil Miscellaneous Appeal filed under Section 114 of C.P.C read with Order 47 Rules 1 and 2 of Code of Civil Procedure, against the order dated 01.11.2018 passed by this Court made in C.M.A(MD) No.1022 of 2018.

For Petitioners : Mr.V.Sasi Kumar
For Respondent : Mr.P.Prabhakaran



The present Review Application has been filed to rectify the arithmetical error in paragraph Nos.10, 13 and 14 of the order dated 01.11.2018 in C.M.A(MD) No.1022 of 2018.

2. In paragraph No.10, the calculation mentioned relates to the loss of income. The total amount under the head of loss of income as per the said calculation is Rs.10,23,750/-(Rupees Ten Lakhs Twenty Three Thousand Seven Hundred and Fifty only). However, only a sum of Rs.9,10,000/- (Rupees Nine Lakhs and Ten Thousand only) has been mentioned. The said Rs.9,10,000/- is repeated in paragraph No.13 in serial No.1.

3. Therefore, this Court is of the view that in the calculation in paragraph No.10, the total award amount under the head of loss of income as per the calculation paragraph No.10 should be a sum of Rs.10,23,750/- (Rupees Ten Lakhs Twenty Three Thousand Seven Hundred and Fifty only). Similarly, in paragraph No.13, in serial No.1, column No.3, instead of Rs.9,10,000/-, it should be as Rs.10,23,750/- (Rupees Ten Lakhs Twenty Three Thousand Seven Hundred and Fifty only). After adding the other



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conventional heads, the total amount would be at Rs.10,93,750/-(Rupees Ten Lakhs Ninety Three Thousand Seven Hundred and Fifty only). Therefore, in paragraph No.14, in the place of Rs.9,80,000/-, it should be mentioned as Rs.10,93,750/- (Rupees Ten Lakhs Ninety Three Thousand Seven Hundred and Fifty only).

4. The Registry is directed to carry out the following amendments:

a) In paragraph No.10, instead of Rs.9,10,000/-, it shall be Rs.10,23,750/- (Rupees Ten Lakhs Twenty Three Thousand Seven Hundred and Fifty only).

b) In paragraph No.13, in serial No.1, column No.3, instead of Rs.9,10,000/-, it shall be Rs.10,23,750/- (Rupees Ten Lakhs Twenty Three Thousand Seven Hundred and Fifty only).

c) In paragraph No.14, in 3rd line, instead of Rs.9,80,000/-, it shall be Rs.10,93,750/- (Rupees Ten Lakhs Ninety Three Thousand Seven Hundred and Fifty only).



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d) In paragraph No.13, in the 3rd column, instead of Rs.9,80,000/- it shall be Rs.10,93,750/- and in total column, instead of Rs.3,59,700/- it shall be “by reducing a sum of Rs.2,45,950/-”.

5. In view of the fact that it is only an arithmetical error, consequential changes are also effected in paragraph Nos.10, 13, and 14. Registry is directed to issue fresh order copy.

6. Accordingly, the Review Application stands allowed. There shall be no order as to costs.

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