



C.M.A(MD)No.372 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No.372 of 2022

and

C.M.P.(MD)No.3338 of 2022

The Managing Director,
M/s.Tamilnadu State Transport Corporation,
Periyamilaguparai,
Collector Office Road (Kumbakonam Division),
Tiruchirapalli.

... Appellant

Vs.

Mohamed Abdullah

... Respondent

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicle Act, 1988, against the order passed in M.C.O.P.No.87 of 2015 on the file of the MACT (Principal Sub Judge), Pudukottai, dated 17.10.2019.

For Appellant : Mr.P.M.Vishnuvarthanan

For Respondent : Mr.D.Ramesh Kumar

JUDGEMENT

The Transport Corporation has preferred this Civil Miscellaneous Appeal.

2. It is a case of injury. The contention of the Transport Corporation is that based on the evidence of the Private Hospital Doctor, the Tribunal has fixed permanent disability as 40%. The Medical Board has not given any certificate and



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none of the Government Doctors had deposed to substantiate the disability. Based on this plea, the Transport Corporation is praying to reduce the compensation.

3. It is seen that the claimant had multiple injuries from head to toe on the left side of the body. After considering the nature of the injury, the Tribunal has awarded Rs.7,54,276/-. Therefore, this Court is not inclined to entertain this appeal.

4. Therefore, this Court is of the considered opinion that the Tribunal has granted just and fair compensation. The appellant shall deposit Rs.7,54,276/- towards compensation with interest @ 7.5% per annum and costs, less the sum already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this judgment. On such deposit, the claimant is permitted to withdraw the amount with accrued interests and costs, less the amount already withdrawn by him, if any, by filing appropriate application before the Tribunal. Hence, the Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

16.02.2024

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

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To

1.MACT (Principal Sub Judge), Pudukottai.

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



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S.SRIMATHY, J.

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