



C.M.A(MD)No.1158 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.01.2024**

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No.1158 of 2021

and

C.M.P.(MD)No.11118 of 2021

The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division-II,
Pillai Thaneerpanthal Post,
Thirumayam Road,
Pudukottai District.

... Appellant

Vs.

R.Nagaraj

... Respondent

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act 1988, against the order, dated 31.01.2020, passed in M.C.O.P.No.814 of 2015 on the file of the MACT (Special Sub Court), Thiruchirapalli.

For Appellant : Mr.Boominathan
for Mr.P.M.Vishnuvarathan
For Respondent : Mr.N.Sudhagar Nagaraj



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JUDGEMENT

This appeal is filed by the Transport Corporation against the award passed by the Tribunal.

2. The injured is an employee in the Transport Corporation. The nature of the accident is that when the claimant / driver was driving the bus, the lorry was coming in reverse direction in front of the bus and hit the bus on the left side. The claimant / driver of the bus got injured on the left leg.

3. The contention of the appellant is that the Tribunal has fixed 25% partial permanent disability and had taken Rs.5,000/- (Rupees Five Thousand only) for every percent of disability, which is erroneous.

4. On perusing the award, the claimant / driver had suffered fracture on the left leg and was admitted in the Hospital as inpatient for



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more than one week. Further the partial permanent disability was fixed as 25%. In such circumstances, the amount fixed as Rs.5000/- (Rupees Five Thousand only) for every disability is not arbitrary and it is reasonable. Therefore, this Court is not inclined to interfere and the impugned award is confirmed award.

5. Therefore, confirming the award of the Tribunal, this Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

08.01.2024

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

jbr

To

1.MACT (Special Sub Court),
Thiruchirapalli.

2.The Section Officer,
Vernacular Section,



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Madurai Bench of Madras High Court,
Madurai.

S.SRIMATHY, J.

jbr

Order made in
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