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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No.460 of 2022

and

C.M.P(MD)No.4080 of 2022

The Managing Director,
Tamil Nadu State Transport Corporation,
Pudukkottai.

... Appellant

Vs.

Minor.Dheepa

... Respondent

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicle Act, against the award made in M.C.O.P.No.462 of 2016, dated 17.09.2021 on the file of the MACT/Additional District and Special Judge, Pudukkottai.

For Appellant : Mr.P.Prabhakaran

For Respondent : Mr.Poornachandran

JUDGMENT

This Civil Miscellaneous Appeal is filed against the award passed in M.C.O.P.No.462 of 2016, dated 17.09.2021 on the file of the MACT/Additional District and Special Judge, Pudukkottai.



2. The accident occurred when the minor girl in order to get seat in the bus was standing behind the bus. Without noticing the same the bus was moved and was crushed by the bus.

3. The contention of the Transport Corporation is that the Tribunal has taken multiplier method and fixed 15 as multiplier for granting award.

3. After hearing the arguments, this Court is of the considered opinion that, even though there is negligence on the minor girl, considering the fact that the injured is a minor, this Court is not inclined to interfere with the impugned order.

4. Hence, this Civil Miscellaneous Appeal stands dismissed. The award made in M.C.O.P.No.462 of 2016, dated 17.09.2021 on the file of the MACT/Additional District and Special Judge, Pudukkottai, is hereby confirmed. No Costs. Consequently, connected miscellaneous petition is also closed.

06.03.2024

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

1. The Motor Accidents Claims Tribunal/
Additional District and Special Court,
Pudukkottai.

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



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S.SRIMATHY, J.

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**Order made in
C.M.A(MD)No.460 of 2022**

06.03.2024