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CMA No. 2541 of 2009



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 2541 of 2009

The Union Of India Owning
Southern Railway Rep By Its General
Manger Chennai- 3.

Appellant

Vs

1. Noorunisa

2.K.S. Mohamed Ali

3.Sunamia

4.The Asst Registrar
Railway Claims Tribunal Chennai
Bench Fresh Ford No 50 Mc Nichols
Road Chetpet Chennai- 31.

Respondents

PRAYER:- Civil Miscellaneous Appeal filed under Sec.23 of Railway Claims
Tribunal Act, 54 of 1987, praying to call for records culminating in the order



dated 25.05.2009 passed in O.A.No.105 of 2006 delivered on 05.06.2009 by the Railway Claims Tribunal, Chennai Bench and set aside the same.

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For Appellant(s): Mr.M.Vijay Anand

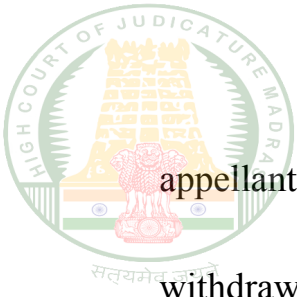
For Respondent(s): Mr.T.Raja Mohan For R1

JUDGMENT

Challenging the impugned award passed by the Railway Claims Tribunal in O.A.No.105 of 2006 dated 05.06.2009, the appellant/respondent Railway Board had preferred this Civil Miscellaneous Appeal.

2. Today, when the matter taken up for hearing, the learned counsel for appellant would argue that the deceased had not possessed valid ticket on the date of alleged accident, without which, the respondents/claimants are not entitled to seek any compensation.

3. By way of reply, the learned counsel for 1st respondent clarified that on the date of incident, the deceased fell down from the running train and died. So, the deceased died while travelling in the train. Hence, the Railway Claims Tribunal had rightly awarded compensation, which needs no interference. He would also submit that already the entire award amount was deposited by the



appellant, from which, this court already permitted the 1st respondent to withdraw part of the award amount. Hence, now she may be permitted to withdraw the remaining balance amount.

4. Heard both sides.

5. As per the evidence of P.W.1, son of deceased stated his father had travelled from Gudiyatham to Katpadi for his business purpose on the date of incident. Admittedly, the deceased travelled in the train and fell down as per Divisional Railway Manager's report. Therefore, the Railway Claims Tribunal has rightly fixed the compensation, which needs no interference. Hence, this Appeal is liable to be dismissed. Accordingly, this Civil Miscellaneous Appeal is dismissed as no merit. However, the 1st respondent is permitted to withdraw the remaining balance amount within a period of two weeks from the date of receipt of copy of this judgment. No costs.

24-07-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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1. The Asst Registrar
Railway Claims Tribunal Chennai Bench 'Fresh Ford',
No 50 Mc Nichols Road Chetpet Chennai- 31.
2. Section Officer, VR Section, Madras High Court.



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T.V.THAMILSELVI J.

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