

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5439 OF 2017
(Arising out of SLP(C) No. 1461 of 2016)

THE M.D. TNSTC (COIMBATORE) APPELLANT(S)
LTD.

Versus

SAMBOORNAM & ORS. RESPONDENT(S)

O R D E R

1. Leave granted.
2. This appeal is directed against the judgment and order passed by the High Court of Madras in C.M.A. No. 891 of 2015, dated 01.06.2015.
3. The claimants are the wife, children and parents of the deceased who died on the spot in an accident. On the claim petitions filed by the claimants, the Motor Accident Claims Tribunal, Coimbatore at Tiruppur (for short, "the Tribunal") had awarded a compensation of Rs.8,30,000/- along with interest at the rate of 7.5 percent per annum.

4. Being aggrieved by the award so passed by the Tribunal, the Managing Director, Tamil State Transport Corporation Ltd. preferred appeal before the High Court. The High Court by the impugned judgment and order has enhanced the compensation to Rs. 18,50,000/- along with interest and costs. Aggrieved by the order so passed by the High Court the appellant-Corporation is before us in this civil appeal.

5. None appears for the respondents, though served.

6. Heard learned counsel for the appellant.

7. The deceased died when he was 32 years of age and was self-employed. The Tribunal took a salary at Rs. 5000/- per month. The High Court, however, granted future prospects @ 50%. In the facts and overall circumstances of the case, we consider it appropriate to reduce the future prospects by 20%. Therefore, the amount

of compensation is reduced to a total sum of
Rs. 15,00,000/- along with interest as
directed.

8. The Civil Appeal is disposed of
accordingly.

.....J.
[S.A. BOBDE]

.....J.
[L. NAGESWARA RAO]

NEW DELHI,
APRIL 20, 2017

ITEM NO.7

COURT NO.9

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 1461/2016

(Arising out of impugned final judgment and order dated
01/06/2015 in CMA No. 891/2015 passed by the High Court Of
Madras)

M.D. TNSTC (COIMBATORE) LTD.

Petitioner(s)

VERSUS

SAMBOORNAM AND ORS.

Respondent(s)

(With interim relief and office report)

Date : 20/04/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE

HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Mr. R. Ayyam Perumal, Adv.
Ms. Enakshi Mukhopadhyay, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of the
signed order.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Indu Pokhriyal]
Court Master

[Signed order is placed on the file]