

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Tr.CMP.No.473 of 2015
and
Tr.CMP.Nos.491 to 495 of 2015

K.Jenitha ...Petitioner in Tr.CMP.No.473 of 2015

1.I.Kannan
2.K.Immaculate
3.K.Jenitha
4.K.Leema Rose
5.K.Balan
6.K.Vennila

...Petitioners in Tr.CMP.No.491 of 2015

K.Leema Rose ...Petitioner in Tr.CMP.No.492 of 2015

K.Vennila ...Petitioner in Tr.CMP.No.493 of 2015

K.Balan ...Petitioner in Tr.CMP.No.494 of 2015

K.Immaculate ...Petitioner in Tr.CMP.No.495 of 2015

Versus

1. Tamil Nadu State Transport Corporation
(Madurai Division IV) Ltd.,
Bye Pass Road,
Collectorate Post,
Dindugal - 624 004.

2. S.Kanchana
3. The New India Assurance Company Limited,
No.1, CSI Building,
II Floor, Officers Line,
Vellore-1.

4. M/s.Vorian Chemicals and Distrilleries Ltd.,
Rep.,by V.B.Salith,
S/o.V.K.Balakrishnan,
No.18-A, Avinashi Road,
Thirupur.

5. The Oriental Insurance Company Ltd.,
Vellore. ...Respondents in all Tr.CMPs.
(Notice for the respondents 2 to 5
given up the petition)

PRAYER: These Transfer Civil Miscellaneous Petitions have been filed under Section 24 of CPC, to withdraw and transfer the E.P.Nos.82,84,85,86,88 and 90 of 2014 pending on the file of the Principal District Court, Vellore to the Principal District Court, Madurai.

For Petitioner : Ms.S.Soundravalli
in Tr CMP No. 491 to 495 of 2015
Mrs.K.Jenitha, Party-in-person
in Tr CMP No. 483 of 2015

For Respondents : Mr.P.Paramasivadosh for R1

O R D E R

Heard both sides.

2. The petitioners have filed these petitions to withdraw respective E.P.Nos.82,84,85,86,88 and 90 of 2014, pending on the file of the Principal District Court, Vellore and transfer the same to the Principal District Court, Madurai.

3. While so, today, the first respondent has filed a memo dated 11.08.2015, which is extract hereunder:-

"The Respondent begs to state as follows:-

1.The Petitioner in the above cases have filed the following Execution Petition for the realization of the bellow stated amount in pursuance to the award passed by the Principal District Court, Vellore. The Respondent has calculated the amount which is payable to the respondent for the realization of the entire award amount. The Respondent has paid a sum of Rs.99,063/- as a part deposit on the

tabulated dates. Even though the Petitioner has not calculated the statutory deductions to be carried for the interest, the Respondent has calculated the same and the same will be paid to the Income Tax Department. In view of the fact the Respondent is liable to pay a sum of Rs.15,66,244/- for the realization of the award amount in all cases.

2. In view of the financial crunches faced by the Corporation, the Respondent intends to pay the above amount in the below stated schedule without any fail. Since the amount of the Rs.25,000/- (in MCOP No.629 of 2003, 630 of 2003, 628 of 2003) has been deposited in the respective cases. The Respondent undertakes to file no objection for all the cases.

Schedule 1 Rs.4,00,000/- on or before 15.09.2015
(part realization towards MCOP.No.600 of 2003)
Schedule 2 Rs.2,76,254/- on or before 15.10.2015
(realization towards MCOP No.630 of 2003)
Schedule 3 Rs.2,54,554/- on or before 15.11.2015
(realization towards MCOP No.628 of 2003)
Schedule 4 Rs.3,41,186/- on or before 15.12.2015
(realization towards MCOP No.629 of 2003)
Schedule 5 Rs.2,94,252/- on or before 15.01.2016
(part realization towards MCOP No.600 of 2003 & full realization of MCOP.No.611 of 2003)

Dated at Chennai on this 11th day of August,2015."

4. The learned counsel for the petitioners submitted that the aforesaid memo may be recorded and the Transfer Civil Miscellaneous Petitions may be disposed of in terms of the said memo. In view of the submission made by the learned counsel for the petitioners, accepting the above said memo, these Transfer Civil Miscellaneous Petitions are disposed of in terms of the memo dated 11.08.2015 and the said memo shall form part of this order. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Encl : The Xerox copy of the Memo dated 11.08.2015

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To

The Principal District Court,
Vellore.

1 CC to Ms.K.Jenitha, Advocate SR.No. 41865

Tr.CMP.No.473 of 2015
and

Tr.CMP.Nos.491 to 495 of 2015

KJI (CO)
PSI (25.08.2015)



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