

C.M.P.Nos.375 and 376 of 2015
in
C.M.A.Nos.561 and 562 of 2003

M.JAICHANDREN, J.
AND
S.BASKARAN, J.

(Order of the Court was made by **S.BASKARAN, J.**)

C.M.P.No.375 of 2015 has been filed by the petitioner, seeking payment out of the amount deposited to the credit of the C.M.A.No.561 of 2003.

2 C.M.P.No.376 of 2015 has been filed by the petitioner, seeking payment out of the amount deposited to the credit of the C.M.A.No.562 of 2003.

3 This Court heard the learned counsel appearing for the petitioners and the learned counsels appearing for the respondents.

4 The learned counsel appearing for the petitioners has submitted that an award was passed in favour of the petitioners, in W.C.Nos.230 of 1998 and 327 of 1998, by the Commissioner for Workmen's Compensation (Deputy Commissioner of Labour), Madurai. The said award amount had been deposited to the credit of the C.M.A.Nos.561 and 562 of 2003. The learned counsel has further submitted that the Civil Appeal Nos.7170 - 7174 of 2005 preferred by the second respondent, have been dismissed by the Supreme Court, by its decision, dated 31.1.2012. In such circumstances, the present miscellaneous petitions have been filed seeking payment out of the amount deposited before the Court.

5 The learned counsel appearing for the second respondent has submitted that the second respondent has no objection to allow the miscellaneous petitions and an endorsement to that effect has also been made in each petition.

6 In such circumstances, both these miscellaneous petitions are allowed, as prayed for. The Registry is directed to refund a sum of Rs.98,683/- deposited to the credit of C.M.A.No.561 of 2003, to the petitioner in C.M.P.No.375 of 2015, and a sum of Rs.2,08,980/- deposited to the credit of C.M.A.No.562 of 2003, to the petitioner in C.M.P.No.376 of 2015, on proper identification and necessary undertaking.

(M.J.,J.) (S.B., J.)

02.11.2016

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