

C.M.P.No.14482 of 2016
in
C.M.A.No.760 of 2016

T.RAJA, J

This Civil Miscellaneous Petition has been filed by the petitioners seeking for a direction to the Registry of this Court to send the lower Court records, namely, records in MCOP No.333/2014 to the III Additional District Judge, Vridhachalam, pending disposal of the above appeal.

2. Heard the learned counsel for the petitioners.

3. It is submitted by the learned counsel for the petitioners that the claimants want to move an application for withdrawal of the award amount and for this purpose, original records will be required by the lower Court. Usually, when an Appeal is admitted, the lower Court records will be called for and thereafter, the same will be returned after some time and on that basis, he filed the present petition for such a direction. However, he has not verified as to whether the lower court records have been, actually, called for or not by the Registry.

4. It is reported by the Registry that no such lower court records have been received till date.

5. In view of the above fact, the prayer sought for is rejected. However, it is open to the claimants to move an Application for withdrawal of the award amount alleged to have been deposited as compensation. If any such Application is made and proper identification of the claimants are established, this Court thinks that there will be no impediment for the Tribunal to entertain such an Application and pass orders according to law.

6. With the above observation, this petition is disposed of.

The Registry is directed to list the appeal after three weeks.

25.10.2016

asvm

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(asvm)

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