

C.M.P.No.19353 of 2016
in
C.M.A.No.2270 of 2016

M.JAICHANDREN, J.
AND
T.MATHIVANAN, J.

Heard the learned counsel appearing on behalf of the petitioner.

2 This Civil Miscellaneous Petition has been filed, praying that this Court may be pleased to modify the order, dated 04.10.2016, directing the deposit of the entire award amount of Rs.15 lakhs, along with the accrued interest thereon.

3 Paragraph 2 of the order, dated 04.10.2016, reads as follows :

"2.Though, the correctness of the finding, fastening liability is assailed in this appeal, there is no dispute over the quantum of compensation. Therefore, while granting interim stay of the operation of the judgment and decree made in MCOP No.711 of 2014, on the file of the MACT [Special District Court], Erode, we direct the appellant to deposit the entire award amount with proportionate accrued interest and costs, less the statutory deposit, to the credit of the MCOP within a period of four weeks from the date of receipt of a copy of this order, failing which, the order of stay granted now shall stand vacated without further reference to this Court."

4 From the order passed by this court, on 4.10.2016, it is clear that if the petitioner does not deposit the amount, as directed by this court, within a period of four weeks from the date of receipt of a copy of the said order, the order of interim stay granted by this Court would stand vacated, automatically, without further reference to the Court. The copy of the said order passed by this Court, on 4.10.2016, had been received by the petitioner, on 7.11.2016. This Civil Miscellaneous Petition had been filed to modify the earlier order passed by this Court, on 4.10.2016. The reasons stated by the petitioner, for modification of the earlier order passed by this court, on 4.10.2016, are not acceptable. Hence, the Civil Miscellaneous Petition stands dismissed.

(M.J.,J.) (T.M., J.)

03.01.2017

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