



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Fourth day of April Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
and
The Hon`ble Mr.Justice P.VELMURUGAN

WEB COPY

CMP(MD) No.2138 of 2017
IN
WA(MD) No.133 of 2017

K.MUTHU ... PETITIONER/RESPONDENT NO.1

Vs

1 THE SUPERINTENDING ENGINEER,
TAMIL NADU ELECTRICITY BOARD,
RACE COURSE ROAD, K.PUDUR, MADURAI-625 001

2 THE CHIEF ENGINEER
TAMIL NADU ELECTRICITY BOARD,
RACE COURSE ROAD, K.PUDUR, MADURAI-1.

3 THE ASSISTANT ENGINEER
TAMIL NADU ELECTRICITY BOARD,
CHEKKANOORRANI VILLAGE, USILAMPATTI TALUK,
MADURAI DISTRICT. ... RESPONDENTS/APPELLANTS NO.1 TO 3

4 THE SECRETARY
PUBLIC WORKS DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
FORT ST.GEORGE, CHENNAI. ... RESPONDENT/RESPONDENT NO.2

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to withdraw the 50% out of the total compensation amount which was deposited in WA(MD).No.133 of 2017 on the file of this Honourable Court, in Indian Bank, attached to this Bench as per the order passed by this Honourable Court in CMP(MD)No.1361 of 2017 in WA(MD). No.133 of 2017 dated 14/02/2017.

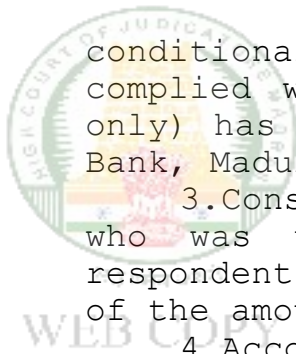
ORDER : This petition coming on for admission upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S R.PANDI MAHARAJA, Advocate for the petitioner and of M/S.S.SRIMATHI, Advocate for MK/S.S.M.S.JOHNNY BASHA, Advocate on behalf of the Respondents, while admitting the Writ Appeal, the court made the following order:-

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

Heard the learned counsel for the appellants and the learned counsel for the respondent/writ petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The learned counsel for the appellants submitted that the



conditional order passed by this Court on 14.02.2017 has been complied with and the amount of Rs.10,00,000/- (Rupees ten lakhs only) has been deposited to the credit of the appeal in the Indian Bank, Madurai High Court Branch.

3.Considering the fact that the writ petitioner lost his son, who was working as Driver, we deem it appropriate that the respondent/writ petitioner should be permitted to withdraw a portion of the amount lying in deposit.

4.Accordingly, the writ petitioner is permitted to withdraw Rs.5,00,000/- (Rupees five lakhs only) from and out of the amount lying in deposit to the credit of W.A.(MD) No.133 of 2017, on production of a copy of this order. The remaining amount shall be invested in a interest bearing account in the same bank initially for a period of six months and kept renewed till the disposal of the appeal, whichever is earlier.

5.Accordingly, this miscellaneous petition is closed.

sd/-

04/04/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SECRETARY,
PUBLIC WORKS DEPARTMENT,
GOVERNMENT OF TAMIL NADU, FORT ST. GEORGE, CHENNAI.
- 2 THE SUPERINTENDING ENGINEER,
TAMILNADU ELECTRICITY BOARD, RACE COURSE ROAD, K.PUDUR MADURAI.
- 3 THE CHIEF ENGINEER,
TAMIL NADU ELECTRICITY BOARD, RACE COURSE ROAD, K.PUDUR,MADURAI.
- 4 THE ASSISTANT ENGINEER,
TAMILNADU ELECTRICITY BOARD,
CHEKKANORANI VILLAGE, USILAMPATTI TALUK,
USILAMPATTI TALUK, MADURAI DISTRICT

COPY TO: THE BRANCH MANAGER,
INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

+1. C.C. to M/S R.PANDI MAHARAJA Advocate SR.No.19519
+1. C.C. to M/S S.M.S.JOHNNY BASHA, Advocate SR.No.19544
ARUL
CSL/KKR/SAR-II/07.04.2017 : 2P/8C

ORDER
IN
CMP (MD) No.2138 of 2017
IN
WA (MD) No.133 of 2017
Date :04/04/2017