



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

Thursday, the Twenty Second day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CMP (MD) No.2579 of 2018
IN
CMA (MD) No.25 of 2018

1 CHITRA,
2 MINOR AKILA,
3 MINOR TAMILVANAN,
4 MINOR TAMILSELVAN,
(PETITIONERS 2 TO 4 ARE MINOR REP.BY
THEIR MOTHER THE 1ST RESPONDENT HEREIN)

5 PAPPATHI, ... PETITIONERS/RESPONDENTS

Vs

SENIOR MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
HAVING ITS OFFICE AT NEW JUNCTION ROAD,
KUMBAKONAM. ... RESPONDENT/APPELLANT

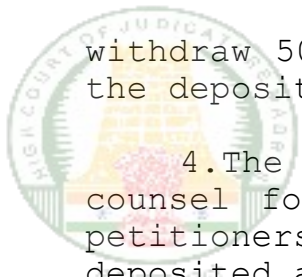
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioners to withdraw 50% of award amount with accrued interest and cost deposited to the credit of M.C.O.P.No,476 of 2015 on the file of the Motor Accident Claims Tribunal, (Special District Court), Thanjavur, pending disposal of the above Civil Miscellaneous Petition and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.N. TAMILMANI, Advocate for the petitioners and of MR.P.PRABHAKARAN, Advocate for the Respondent the court made the following order:-

The learned counsel for the petitioners / appellants and the learned counsel for the respondent / Transport corporation are present and heard.

2.This Civil Miscellaneous Appeal filed against the award passed by the Trail Court by petitioners / appellants.

3.The respondent / Transport Corporation was directed to deposit 75% of the award amount as per order dated 12.01.2018 in C.M.F. (MD) NO.358 of 2018 and accordingly, the said amount was deposited by the respondent. The present petition is filed to



withdraw 50% of the award amount with accrued interest and costs in the deposited amount before the Tribunal.

4.The petitioners 2, 3 and 4 are minors. Hence, the learned counsel for the petitioners resisted his claim in respect of the petitioners 1 and 5 alone seeking permission to withdraw 50% of the deposited amount.

5.The learned counsel for the respondent / Transport Corporation submitted that he has no objection permitting the petitioners 1 and 5 to withdraw the 50% of the deposited amount.

6.Considering the facts and circumstances of the case, the petitioners 1 and 5 are permitted to withdraw 50% of the deposited amount in respect of their shares as apportioned by the Tribunal and the balance amount shall be deposited in any one of the Nationalized Bank for a period of 3 years. This petition is ordered accordingly.

sd/-
22/03/2018

/ TRUE COPY /

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

TO

THE SPECIAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR.

+1. C.C. to M/S.N. TAMILMANI Advocate SR.No.4641

GJM/RR/SAR-I-4.4.18-2P-3C

ORDER
IN
CMP (MD) No.2579 of 2018
IN
CMA (MD) No.25 of 2018
Date :22/03/2018