

C.M.P.No.19604 of 2019 in
C.M.A.(SR) No.36287 of 2019

R.MAHADEVAN, J.

This petition is filed by the petitioners / appellants / claimants seeking exemption from payment of Court fee of Rs.4,000/-.

2. Heard the learned counsel for the petitioners / appellants / claimants.

3. It is seen from the affidavit filed in support of this petition that, vide award dated 04.06.2016, the Tribunal has awarded a total compensation of Rs.14,78,000/- for the death of the one Ramu, who is the husband, father and son, respectively, of the petitioners, in an accident that had occurred on 21.04.2013; though the Tribunal has directed the second respondent / Insurance Company to deposit the award amount with interest and costs within a period of 60 days, the second respondent has not complied with the said direction; and as the claimants have no source of income, they find it difficult to pay the court fee. Hence, the petitioners/appellants/claimants sought to exempt them from paying the court fee of Rs.4,000/-. The learned counsel also submitted that exemption from paying the court fee, has been granted to the claimants before the Tribunal.

R.MAHADEVAN, J.

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4.Considering the reasons stated in the affidavit filed in support of this petition and also taking note of the submission made by the learned counsel for the petitioners, this petition is partly-allowed, by exempting 50% of the Court fee payable by the claimants / appellants. The petitioners / claimants are directed to pay 50% of the court fee, i.e., Rs.2,000/- in the above Appeal, within four weeks from the date of receipt of a copy of this order. However, it is made clear that in the event of the petitioners / appellants / claimants succeeding in the Appeal, they shall pay the necessary court fee for the entire compensation amount.

12.09.2019

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