

C.M.P.No.18179 of 2019 in
C.M.A.(SR) No.88154 of 2019

R.MAHADEVAN, J.

This petition is filed by the petitioner / appellant / claimant seeking exemption from payment of Court fee of Rs.23,352.50/-.

2. Heard the learned counsel for the petitioner.

3. It is seen from the affidavit filed in support of this petition that vide order dated 28.02.2019, the Tribunal has awarded a total compensation of Rs.1,00,000/- to the petitioner/wife of one Saravanan @ Saravanakumar, who died in an accident that had occurred on 08.01.2015; though the Tribunal has directed the fourth respondent / Insurance Company to deposit the award amount with interest and costs within a period of 60 days, the fourth respondent has not complied with the said direction; and as the petitioner / claimant has no source of income, she finds it difficult to pay the court fee. Hence, the petitioner sought to exempt her from paying the court fee of Rs.23,352.50.

4. Considering the submissions made by the learned counsel for the petitioner as well as the reasons stated in the affidavit filed in support of this petition, this Court is of the view that exempting 50% of the Court fee, i.e., Rs.11,676.25 to the claimant would meet the ends of justice.

R.MAHADEVAN, J.

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5. Accordingly, this petition is partly-allowed, by exempting 50% of the Court fee payable by the petitioner. The petitioner / claimant is directed to pay the balance 50% of the court fee, i.e., Rs.11,676.25/- 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 petitioner / appellant / claimant, succeeding in the Appeal, she shall pay the necessary court fee for the entire compensation amount.

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05.09.2019

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