

C.M.P.No.18327 of 2019 in
C.M.A.(SR) No.89327 of 2019

R.MAHADEVAN, J.

This petition is filed by the petitioner / appellant / claimant seeking exemption from payment of Court fee of Rs.9,000/-.

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 13.12.2018, the Tribunal has awarded a total compensation of Rs.1,50,000/- for the injuries sustained by the petitioner, in an accident that had occurred on 12.01.2017; 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 claimant has no source of income, he finds it difficult to pay the court fee. Hence, the petitioner sought to exempt him from paying the court fee of Rs.9,000/-.

4. It is also submitted by the learned counsel for the petitioner that the petitioner, due to the injuries sustained by him, has completely lost his earning capacity and he is spending more money towards medical expenses.

R.MAHADEVAN, J.

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5. Considering the aforesaid 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.4,500/- to the claimant would meet the ends of justice.

6. Accordingly, this petition is partly allowed, 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.4,500/- 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, he shall pay the necessary court fee for the entire compensation amount.

05.09.2019

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