

C.M.P.No.18603 of 2019 in
C.M.A.(SR) No.107764 of 2019

R.MAHADEVAN, J.

This petition is filed by the petitioners / appellants / claimants seeking exemption from payment of Court fee of Rs.9,000/-.

2. Heard the learned counsel for the petitioners.

3. It is seen from the affidavit filed in support of this petition that, vide award dated 16.08.2017, the Tribunal has awarded a total compensation of Rs.1,79,500/- to the legal heirs of one Deepak Kumar @ Thanishnithin, who died in an accident that had occurred on 12.11.2016; 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 2nd petitioner / claimant was restless and mentally disturbed and was unable to go to job and have no source of income, he finds it difficult to pay the court fee. Hence, the petitioners sought to exempt them from paying the court fee.

R.MAHADEVAN, J.

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4. Considering the submissions made by the learned counsel for the petitioners as well as the reasons stated in paragraph 3 of 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 claimants would meet the ends of justice. Accordingly, this petition is disposed of, by exempting 50% of the Court fee payable by the petitioners. The petitioners / claimants are 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 petitioners / appellants / claimants, succeeding in the Appeal, they shall pay the necessary court fee for the entire compensation amount.

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05.09.2019

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