

CMP No.22209 of 2019 in
CMA (SR) No.122889 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 / appellants / claimants.

3. According to the petitioners, on 28.07.2013 at about 18.45 hours, when the deceased (Shanmugam) was riding his motorcycle and was nearing Asarkana Bus Stop, the motorcycle hit against the Centre Median, on account of which, the deceased died subsequently. So stating, the claimants, who are the wife, children and father of the deceased have filed the claim petition. Without considering the materials available on record, the Tribunal has dismissed the claim petition filed by the petitioners, vide judgment dated 07.03.2019. Challenging the same, the petitioners have filed the present Appeal.

4. It is the submission of the learned counsel for the petitioners that only out of the income of the deceased, who was the only breadwinner of the family of the petitioners, the petitioners were eking out their livelihood; after the demise of the victim, the petitioners have no source of income and find it very difficult to maintain themselves. Hence, the learned counsel for the petitioners sought to exempt them from paying the court fee of Rs.9,000/-.

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5. Considering the facts, submissions and reasons stated in the affidavit filed in support of this petition and being satisfied with the same, this petition is ordered as prayed for. 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.

14.11.2019

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