



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Second day of July Two Thousand Nineteen
PRESENT

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The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) Nos.5007, 5008, 5428 to 5430 of 2019
IN

CMA(MD) Nos.81, 82, 78 to 80 of 2016

1. KANDASAMY
2. MINOR HARIHARAN
(2nd PETITIONER IS REPRESENTED THROUGH
HIS NATURAL GUARDIAN AND FATHER, 1st
PETITIONER)

... PETITIONERS/1st and 2nd RESPONDENTS
IN CMP(MD). 5007 & 5008/ 2019

1. THIRUSELVAM
2. RENGANATHAN
3. KANAKARAN

... PETITIONERS/RESPONDENTS 1 TO 3
IN CMP(MD). 5428/ 2019

GOMATHI @ GOMATHI JAYAM

... PETITIONER/1st RESPONDENT
IN CMP(MD). 5429/ 2019

VISHALATCHI

... PETITIONER/1st RESPONDENT
IN CMP(MD). 5430/ 2019

- VS. -

1. THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION ,
(KUMBAKONAM DIVISION II) LIMITED,
PERIYAMILAGUPARAI,
TRICHY -2.

... 1st PETITIONER/ APPELLANT
IN CMP(MD). 5007 & 5008/ 2019

... 1st RESPONDENT/ APPELLANT
IN CMP(MD). 5428 to 5430/ 2019

2. R.INDHUMATHY

3. THE GENERAL MANAGER.
SHRI RAM GENERAL INSURANCE COMPANY LIMITED,
66, II FLOOR, CITY CENTRE COMPLEX,
THIRUMALAI PILLAI ROAD,
T.NAGAR CHENNAI -17.

... 2nd and 3rd RESPONDENTS/
3rd and 4th RESPONDENTS
IN CMP(MD). 5007 & 5008/ 2019



... 2nd & 3rd RESPONDENTS/4th & 5th RESPONDENTS
IN CMP(MD). 5428/ 2019

... 2nd & 3rd RESPONDENTS/2nd & 3rd RESPONDENTS
IN CMP(MD). 5429 & 5430/ 2019

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Prayer in CMP(MD). 5007/ 2019 in CMA(MD). 81/ 2016 :

Pleased to send for the award amount of Rs.7,78,000/- with accrued interest and cost lies in a deposit with the Indian Bank, Madurai Bench of Madras High Court to the credit of the MCOP.No.1551 of 2013 on the file of the Motor Accident Claims Tribunal / Special District Court, Tiruchirappalli and thus render justice.

Prayer in CMP(MD). 5008/ 2019 in CMA(MD). 82/ 2016 :

Pleased to send for the award amount of Rs.3,00,000/- with accrued interest and cost lies in a deposit with the Indian Bank, Madurai Bench of Madras High Court to the credit of the MCOP.No.1552 of 2013 on the file of the Motor Accident Claims Tribunal / Special District Court, Tiruchirappalli and thus render justice.

Prayer in CMP(MD). 5428/ 2019 in CMA(MD). 78/ 2016 :

Pleased to send for the award amount of Rs.5,18,000/- with accrued interest and cost lies in a deposit with the Indian Bank, High Court Branch, Madurai to the credit of the MCOP.No.630 of 2013 on the file of the Motor Accident Claims Tribunal / Special District Court, Trichy and thus render justice.

Prayer in CMP(MD). 5429/ 2019 in CMA(MD). 79/ 2016 :

Pleased to send for the award amount of Rs.3,78,911/- lies in a deposit with the Indian Bank, High Court Branch, Madurai to the credit of the MCOP.No.631 of 2013 on the file of the Motor Accident Claims Tribunal / Special District Court, Trichy and thus render justice.

Prayer in CMP(MD). 5430/ 2019 in CMA(MD). 80/ 2016 :

Pleased to send for the award amount of Rs.2,82,577/- with accrued interest and cost lies in a deposit with the Indian Bank, High Court Branch, Madurai to the credit of the MCOP.No.632 of 2013 on the file of the Motor Accident Claims Tribunal / Special District Court, Trichy and thus render justice.

Prayer in CMA(MD). 81/ 2016 :

To allow this appeal, set aside the judgment and decree dated 10/08/2015 made in MCOP NO.1551/2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli.

Prayer in CMA(MD). 82/ 2016 :

To allow this appeal, set aside the judgment and decree dated 10/08/2015 made in MCOP NO.1552/2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli.



Prayer in CMA(MD). 78/ 2016 :

To allow this appeal, set aside the judgment and decree dated 10/08/2015 made in MCOP NO. 630/2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli.

Prayer in CMA(MD). 79/ 2016 :

To allow this appeal, set aside the judgment and decree dated 10/08/2015 made in MCOP NO. 631/2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli.

Prayer in CMA(MD). 80/ 2016 :

To allow this appeal, set aside the judgment and decree dated 10/08/2015 made in MCOP NO. 632/2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.N.SUDHAGAR NAGARAJ, Advocate for the petitioners in CMP(MD) Nos.5007 & 5008 of 2019 and MR.C.PADMA RAJ, Advocate for the petitioners in CMP(MD) Nos.5428 to 5430 of 2019 and of MR.P.PRABHAKARAN, Advocate on behalf of the first Respondent in all the petitions, the court made the following order:-

These petitions have been filed seeking to send the award amount deposited with the Indian Bank, Madurai Bench of Madras High Court Branch, to the credit of respective M.C.O.Ps. on the file of the MACT/ Special District Court, Tiruchirappalli.

2. While granting interim order in the appeal arises out of MCOP, this Court used to direct the liable person to deposit the award amount to the credit of MCOP and in turn, the Tribunal would be directed to deposit the award amount in a nationalised Bank. But, in this case, it is seen that while granting interim order, this Court has directed the Transport Corporation to deposit 50% of the award amount with the Indian Bank, Madurai Bench of Madras High Court Branch, to the credit of respective C.M.As. Therefore, the petitioners are not able to get the compensation amount before the Tribunal. It is represented by the Transport Corporation that they have already deposited the balance amount of award to the credit of respective MCOPs.

3. In view of the above, the Transport Corporation is directed to withdraw the amount deposited with the Indian Bank, Madurai Bench of Madras High Court Branch, as per the order dated 23.02.2016, in the above CMAs and deposit the same to the credit of respective MCOPs, before the Court below, as early as possible, preferably within a period of one week from the date of receipt of a copy of this order.



4. These petitions stand disposed of accordingly.

sd/-
02/07/2019

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/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL /
SPECIAL DISTRICT COURT, TIRUCHIRAPPALLI.

- +1. C.C. to M/S.N.SUDHAGAR NAGARAJ Advocate SR.No.10873
- +2. C.C. to M/S.P.PRABHAKARAN Advocate SR.No.10874 & 72706
- +1. C.C. to M/S.C.PADMARAJ Advocate SR.No. 10875

COPY TO:

THE BRANCH MANAGER,
INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT BRANCH,
MADURAI.

ORDER
IN
CMP (MD) Nos.5007, 5008,
5428 to 5430 of 2019
IN
CMA (MD) Nos.81, 82,
78 to 80 of 2016
Date :02/07/2019

JM/PN/SAR 2/05.07.2019/4P/7C