



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

Friday, the Fourth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and
The Hon`ble Mr.Justice C.SARAVANAN

CMP(MD) No.12237 of 2018

IN

WA(MD) No. 998 of 2018

KADHAR IBRAHIM

... PETITIONER/1st RESPONDENT/
1st RESPONDENT

Vs

1 TAMIL NADU ELECTRICITY BOARD,
REP. BY ITS CHAIRMAN,
NO. 800, ANNA SALAI,
CHENNAI - 600 006.

2 ASSISTANCE ELECTRICAL ENGINEER,
(DISTRIBUTION),
TAMIL NADU ELECTRICITY PRODUCTION AND DISTRIBUTION,
SIKKAL, RAMANATHAPURAM DISTRICT - 623 528.

... RESPONDENTS/PETITIONERS/
APPELLANTS

3 STATE REP. THROUGH ITS,
HOME SECRETARY,
ST.GEORGE FORT,
CHENNAI - 600 006.

4 THE INSPECTOR OF POLICE
VALINOKKAM POLICE STATION,
RAMANATHAPURAM DISTRICT

... RESPONDENTS/RESPONDENTS NO. 2 & 3/
RESPONDENTS No. 2 & 3

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioner to withdraw the part award amount sum of Rs.5,00,000/- which had deposited by the appellant in the order of this Honourable Court in C.M.P(MD) No. 6860 of 2018 in WA(MD) No. 998 of 2018, dated 26.07.2018 and thus render justice.

Prayer in WA(MD). 998/ 2018 :

To set aside the order dated 24.03.2017 passed in WP(MD) No. 3426/2013 and pass such further or other orders as deemed fit and thus render justice.

**Prayer in WP(MD) No. 3426/2013**

This petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to quash the impugned order passed by the 2nd respondent in his vide proceedings KA.No.Vu.Mi.Po/Vi Ni/Sikkal/Aa.No.008/11 dated 11.11.2011 and consequently direct the Respondents 1 to 3 to provide a just and fair compensation to the petitioner's son namely Mohammed Saibudin.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.A.S.ALAUDEEN, Advocate for the petitioner and of MR.S.M.S.JOHNY BASHA, Advocate for R1 & R2, the court made the following order:-

This petition is filed to withdraw the part of the award amount of Rs.5,00,000/-, which has been deposited by the appellants in the main appeal.

2. Even in the order dated 26.07.2018 passed in CMP(MD) No. 6860 of 2018 in WA(MD) No. 998 of 2018, this Court permitted the petitioner herein/first respondent to withdraw a sum of Rs.5,00,000/- and hence, there is no scope for any objection by the respondents herein/appellants.

3. Accordingly, this petition is ordered.

sd/-
04/01/2019

/ TRUE COPY /

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

TO

1 THE CHAIRMAN,
TAMIL NADU ELECTRICITY BOARD,
NO. 800, ANNA SALAI,
CHENNAI - 600 006.

2 ASSISTANCE ELECTRICAL ENGINEER,
(DISTRIBUTION),
TAMIL NADU ELECTRICITY PRODUCTION AND DISTRIBUTION,
SIKKAL, RAMANATHAPURAM DISTRICT - 623 528.

3 HOME SECRETARY,
<https://hcservices.ecourts.gov.in/hcservices/>
ST. GEORGE FORT, CHENNAI - 600 006.



WEB COPY

3

4 THE INSPECTOR OF POLICE
VALINOKKAM POLICE STATION,
RAMANATHAPURAM DISTRICT

ORDER
IN
CMP (MD) No.12237 of 2018
IN
WA(MD) No. 998 of 2018
Date :04/01/2019

MSI/JC/SAR-II/28.01.2019-3P/5C