



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

Monday, the First day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.9656 of 2018

IN

REV.APLC(MD) No.SR41110 of 2018

THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
MADURAI DIVISION, BYE-PASS ROAD, MADURAI.

... PETITIONER/PETITIONER

Vs

1 PERUMAYEE
2 S.VELUSAMY
3 C.CHINNASAMY

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condoned the delay of 284 days in filing review petition Sr.No.41112 of 2018 filed against the order passed in CMA.No.130 of 2011 passed by this Honble Court, dated 16.11.2017.

PRAYER IN REV.APLC(MD) No.SR41110 of 2018

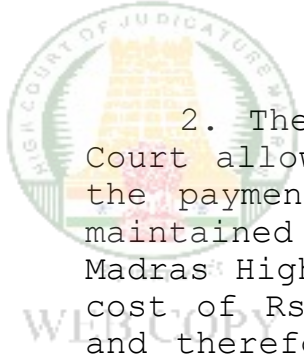
To review the Judgment and Decree, dated 16.11.2017, passed in CMA No. 130 of 2011 on the file of this Honourable High Court and thus render justice.

PRAYER IN CMA No. 130 of 2011

To prefer this Memorandum of Grounds of CMA against the Award of the Motor Accidents Claims Tribunal (Subordinate Judge) Madurai dated 30.10.1985 made in MCOP No.278 of 1984.

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.MU.PRAKASH, Advocate for the petitioner and of Mr.M.MUTHUGEETHAYAN, Advocate for R1 & R2, the court made the following order:-

This petition is listed today under the caption "for being mentioned" at the instance of the learned counsel for the petitioner / Transport Corporation.



2. The learned counsel for the petitioner submitted that this Court allowed this petition, by order dated 01.02.2019, subject to the payment of cost of Rs.1000/- to the Bubbles Day Care Creche maintained by the Women Advocates Association, Madurai Bench of Madras High Court, Madurai. But, due to inadvertence, he has paid cost of Rs.1,000/- to the Chief Justice Relief Fund on 05.02.2019 and therefore, the Registry returned the cost memo and refused to number the revision application. Thus, he prayed to accept the payment made by the petitioner and to direct the Registry to number the review application.

3. Heard the learned counsel for the respondents 1 and 2/claimants.

4. Considering the submission of the learned counsel for the petitioner and also considering the fact that the petitioner has paid cost of Rs.1000/- to the Chief Justice Relief Fund, this Court is inclined to hold that the condition imposed in the order, dated 01.02.2019, is complied with. Hence, this Registry is directed to accept the cost memo and number the review application forthwith.

5. At this juncture, the learned counsel appearing for the respondents 1 and 2 / claimants submitted that the petitioner / Transport Corporation filed this review application only questioning the interest portion of the award and the petitioner has already deposited the entire award amount before the Tribunal and therefore, this Court may permit the respondents 1 and 2 / claimants to withdraw the award amount without interest.

6. The learned counsel appearing for the petitioner / Transport Corporation has no objection for the same.

7. In view of the above, the respondents 1 and 2 / claimants are permitted to withdraw the award amount without interest.

sd/-
01/04/2019

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
MADURAI



MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

2. THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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3. THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to MR.M.MUTHUGEETHAYAN Advocate SR.No.5904

PS/VR/SAR-3/08.04.2019/3P/5C

ORDER

IN

CMP(MD) No.9656 of 2018

IN

REV.APLC(MD) No.SR41110 of 2018

Date :01/04/2019