



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Fourteenth day of November Two Thousand and Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD). No.11539 of 2018
in
CMA(MD).No.87/2016

Shanmugam,
S/o. Ayyam Perumal No.5/138
Mattapparaipatti Trichy District.

... Petitioner/ Respondent

Vs

The Managing Director,
Tamil Nadu State Transport Corporation,
Periyamilaguparai, Trichy District.

... Respondent/Appellant

Prayer in CMP(MD). No.11539 of 2018:-

This petition filed under section 151 of Civil Procedure Code, praying to transfer the award amount of Rs.46,626/- with interest lies in a deposit with the Indian Bank, Madurai Bench of Madras High Court to the credit of the M.C.O.P.No. 255 of 2013 on the file of the Motor Accident Claims Tribunal / Special District Court, Tiruchirapalli and thus render justice.

Prayer in CMA(MD). 87/ 2016 :-

This appeal filed under Section 173 of Motor Vehicles Act, 1988, praying to allow this appeal, set aside the judgment and decree dated 10/08/2015 made in MCOP.NO.255/2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli.

ORDER:- This Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.Kumar, Advocate for the Petitioner and of Mr.P.Prabhakaran, Advocate for the respondent, this Court made the following order:

This petition has been filed by the claimant/petitioner to transfer the award amount of Rs.46,626/- with interest, which is lying in a deposit with the Indian Bank, Madurai Bench of Madras High Court to the credit of M.C.O.P.No.255 of 2013 on the file of the Motor Accident Claims Tribunal (Special District Court),



Tiruchirappalli.

2. The learned counsel appearing for the claimant/petitioner submitted that this Court, while granting interim stay, directed the appellant Transport Corporation to deposit the entire award amount in the Indian Bank, High Court Branch, Madurai Bench and further directed the Bank to invest the said amount in an interest bearing accounts initially for a period of one year and renewable thereafter periodically until further orders. Since the award amount is lying in a deposit with the Indian Bank, Madurai Bench, the claimant/petitioner is not able to get the compensation before the Tribunal.

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 and deposit the same to the credit of M.C.O.P.No.255 of 2013 on the file of the Motor Accident Claims Tribunal (Special District Court), Tiruchirappalli, within a period of one week from the date of receipt of a copy of this order.

4. Accordingly, this petition is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

The Managing Director,
Tamil Nadu State Transport Corporation,
Periyamilaguparai, Trichy District.

Copy to:

The Indian Bank,
Madurai Bench of Madras High Court Branch,
Madurai.

ORDER DATED : 14/11/2019

ORDER

CMP(MD) . No.11539 of 2018
in
CMA (MD) .No.87/2016

Giving direction and etc.
as stated within.

KK/SAR/19.11.2019/2P-3C/

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