



C.M.P (MD) Nos.2056, 2057, 2058 of 2020 & 10940 of 2019

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

Tuesday, the Twenty Fifth day of February Two Thousand Twenty

WEB COPY

PRESENT

**The Hon`ble Mr.Justice M.DURAI SWAMY
and
The Hon`ble Mr.Justice T.RAVINDRAN**

**C.M.P (MD) Nos.2056, 2057, 2058 of 2020 & 10940 of 2019
in
C.M.A (MD) Nos.98 of 2019, 1204 of 2018, 97 & 99 of 2019**

1 KAVITHA,
2 SUBA,
3 VIJAYA REKHA,
4 AKILA,

... PETITIONERS/1 TO 4 RESPONDENTS
IN CMP (MD) Nos.2056 TO 2058/2020
IN CMA (MD) Nos.1204 of 2018, 97 & 99 of 2019

1.SOMU
2.INDHARANI
3.GOPINATH

... PETITIONERS/1-3 RESPONDENTS
IN CMP (MD) .NO.10940 OF 2019
IN CMA (MD) NO.98 of 2019

Vs

1 THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LTD., KUMBAKONAM. ... 1st RESPONDENT/APELLANT

2 M.BALARAMAN

3 THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
RAJA ANNAMALAI ROAD, PURASAWALKAM,
CHENNAI-600 084.
THROU ITS BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
RAILWAY FEEDER ROAD, VIRUDHUNAGAR.

4 PREMKUMAR,

5 S.SANKARAN,



C.M.P (MD) Nos.2056, 2057, 2058 of 2020 & 10940 of 2019

WEB COPY

6 THE BRANCH MANAGER,
RELIANCE GENERAL INSURANCE COMPANY LIMITED,
SRI MEENAKSHI PLASA, 1ST FLOOR,
PLOT NO.HIG 55, 80 FEET ROAD,
ANNANAGAR, MADURAI.

...2 -5 RESPONDENTS/4-7 RESPONDENTS
IN CMP(MD)NO.2056 of 2020
in CMA(MD)NO.1204 of 2018

1 THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LTD., KUMBAKONAM. ... 1st RESPONDENT/APPELLANT

2 M.BALARAMAN

3 THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
RAJA ANNAMALAI ROAD, PURASAWALKAM,
CHENNAI-600 084.
THROU ITS BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
RAILWAY FEEDER ROAD, VIRUDHUNAGAR.

4 S.SANKARAN,

5 THE BRANCH MANAGER,
RELIANCE GENERAL INSURANCE COMPANY LIMITED,
SRI MEENAKSHI PLASA, 1ST FLOOR,
PLOT NO.HIG 55, 80 FEET ROAD,
ANNANAGAR, MADURAI.

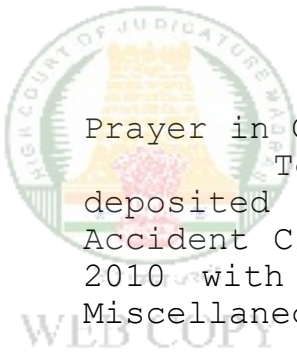
...2 -5 RESPONDENTS/4-7 RESPONDENTS
in CMP(MD)Nos.2057 & 2058 of 2020 ,
10940 OF 2019
in CMA(MD)NOS.97, 99 AND 98 of 2019

Prayer in CMP(MD)NO.2056 of 2020 IN CMA(MD) No.1204 of 2018:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the Petitioners to withdraw the 50% of their respective award amount deposited by the 1st Respondent/Appellant on the file of Motor Accident Claims Tribunal (Sub Court, Virudhunagar) in MCOP No.81 of 2010 with accrued interest pending disposal of the above Civil Miscellaneous Appeal and thus render justice.

PRAYER IN CMA(MD) No.1204 of 2018:

To set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Subordinate Judge, Virudhunagar in MCOP No.81 of 2010 dated 20.04.2017.



C.M.P (MD) Nos. 2056, 2057, 2058 of 2020 & 10940 of 2019

Prayer in CMP(MD). 2057/ 2020 in CMA(MD)No.97 of 2019 :

To permit the Petitioners to withdraw the 50% award amount deposited by the 1st Respondent/Appellant on the file of Motor Accident Claims Tribunal (Sub Court, Virudhunagar) in MCOP No.80 of 2010 with accrued interest pending disposal of the above Civil Miscellaneous Appeal.

Prayer in CMA(MD)No.97 of 2019:-

To set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Subordinate Judge, Virudhunagar in MCOP.No.80 of 2010 dated 20.04.2017.

Prayer in CMP(MD). 2058/ 2020 in CMA(MD)No.99 of 2019 :

To permit the Petitioners to withdraw the 50% award amount deposited by the 1st Respondent/Appellant on the file of Motor Accident Claims Tribunal (Sub Court, Virudhunagar) in MCOP No.83 of 2010 with accrued interest pending disposal of the above Civil Miscellaneous Appeal.

Prayer in CMA(MD)No.99 of 2019:-

To set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Subordinate Judge, Virudhunagar in MCOP.No.83 of 2010 dated 20.04.2017.

Prayer in CMP(MD). 10940/ 2019 in CMA(MD)No.98 of 2019 :

To permit the Petitioners to withdraw the 50% of their respective award amount deposited by the 1st Respondent/Appellant on the file of Motor Accident Claims Tribunal (Sub Court, Virudhunagar) in MCOP No.82 of 2010 with accrued interest pending disposal of the above Civil Miscellaneous Appeal.

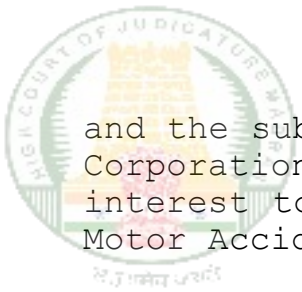
Prayer in CMA(MD)No.98 of 2019:-

To set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Subordinate Judge, Virudhunagar in MCOP.No.82 of 2010 dated 20.04.2017.

ORDER : These petitions coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.PON SENTHIL KUMARAN, Advocate for the petitioner in all petitions and of MR.D.SIVARAMAN, Advocate for R1 in all petitions, the court made the following order:-

(Order of the Court was made by M.DURAI SWAMY, J)

In C.M.A(MD)Nos.97 to 99 of 2019, pursuant to the order dated 24.06.2019, the appellant / Transport Corporation had deposited the entire award amount together with accrued interest and costs to the credit of M.C.O.P.Nos.80, 82 and 83 of 2010 respectively on the file of the Motor Accident Claims Tribunal (Sub-Court), Virudhunagar and in C.M.A(MD)No.1204 of 2018, pursuant to the order dated 04.01.2019



C.M.P(MD)Nos.2056, 2057, 2058 of 2020 & 10940 of 2019

and the subsequent order dated 24.06.2019, the appellant / Transport Corporation had deposited a sum of Rs.75,00,000/- together with interest to the credit of M.C.O.P.No.81 of 2010 on the file of the Motor Accident Claims Tribunal (Sub-Court), Virudhunagar.

2.Now, the petitioners / claimants have filed the above petitions seeking permission to withdraw 50% of the amount deposited by the Transport Corporation to the credit of M.C.O.P.Nos.80 to 83 of 2010.

3.Taking into consideration the case of both parties in the connected matter in C.M.P(MD)No.1232 of 2020 in C.M.A(MD)No.1204 of 2018, we permitted the petitioner to withdraw one-third of the amount deposited by the Transport Corporation.

4.Following the same order, we permit the petitioners / claimants to withdraw one-third of their respective share amount out of the amount deposited by the Transport Corporation.

5.The Motor Accident Claims Tribunal (Sub-Court), Virudhunagar is directed to deposit the balance amount in a Nationalised Bank in a re-investment scheme initially for a period of two years, till the disposal of the appeals.

6.With these observations, these petitions are ordered.

sd/-

25/02/2020

/ TRUE COPY /

/ /2020

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

TO
THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, VIRUDHUNAGAR DISTRICT.

+1. C.C. to M/S.S.PON SENTHIL KUMARAN Advocate SR.No.3985
+1cc to MR.D.SIVARAMAN, Advocate in SR.No.4247

ORDER

IN

C.M.P(MD)Nos.2056, 2057, 2058
of 2020 & 10940 of 2019
in
C.M.A(MD)Nos.98 of 2019,
1204 of 2018, 97 & 99 of 2019
Date :25/02/2020

ps

AE/JC/SAR-I (28.02.2020) 4P 4C

<https://hcservices.ecourts.gov.in/hcservices/>