



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

Thursday, the Ninth day of July Two Thousand Twenty

PRESENT

The Hon'ble Mr.Justice S.S.SUNDAR

CMP(MD) No.7751 of 2019
IN
CMA(MD) No.165 of 2019

1 SHARMILA BANU

**(P1 IS DECLARED AS MAJOR AND DISCHARGED
FROM THE GUARDIAN OF HER GRAND MOTHER
VIDE COURT ORDER DATED 09/07/20 MADE IN
CMP(MD)No.7750/19 IN CMA(MD) No.165/19)**

2 MINOR PAZIL MOHAMED

(MINOR 2nd PETITIONER REP BY THE GRANDMOTHER AND
GUARDIAN THE 3rd PETITIONER M.AMEENA BIVI)

3 M.AMEENA BIVI

... PETITIONERS/RESPONDENTS

Vs

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION,
MADURAI DISTRICT.

... RESPONDENT/APPELLANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Permit the petitioners 1 and 3 herein to withdraw the award amount along with proportionate interest and cost, which has been deposited by the respondent corporation to the credit of MCOP.No.2401 of 2015 on the file of the Motor Accident Claims Tribunal, VI Additional District Court, Madurai, pending disposal of the above Civil Miscellaneous Appeal.

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.M.SARAVANAN, Advocate for the petitioners and of Mr.P.PRABHAKARAN, Advocate on behalf of the Respondent, the court made the following order:-

This petition is filed to permit the petitioners 1 and 3 herein to withdraw the award amount along with proportionate interest and cost, which has been deposited by the respondent Corporation to the



credit of M.C.O.P.No.2401 of 2015 on the file of the Motor Accidents Claims Tribunal (VI Additional District Court), Madurai.

2.Heard learned Counsel for the petitioners.

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3.It is stated that the respondent has deposited Rs.22,02,320/- towards 50% of the Award amount with proportionate interest and cost. At the time of filing of this appeal, the first and second petitioners are minor and the third petitioner is a Guardian and next friend to petitioners 1 and 2. Now, the first petitioner became major and this Court has also declared her so. In the said circumstances, it may be appropriate to permit the petitioners 1 and 3 to withdraw 50% of the amount deposited by the Transport Corporation towards their share, as it is stated that some money is immediately required towards education expenses of petitioners 1 and 2.

4.As a result, this petition is allowed and the petitioners 1 and 3 are permitted to withdraw 50% of the amount lying to the credit of M.C.O.P.No.2401 of 2015 on the file of the Motor Accidents Claims Tribunal, Madurai, deposited by the Transport Corporation.

sd/-
09/07/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE VI ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURAI.

ORDER
IN
CMP(MD) No.7751 of 2019
IN
CMA(MD) No.165 of 2019
Date :09/07/2020

CMR
TE/JC/SAR-III : 21/07/2020 : 2P/2C