



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

Thursday, the Twenty Third day of January Two Thousand Twenty

PRESENT

The Hon'ble Mrs. Justice R. THARANI

CMP(MD) No.11864 of 2019

IN

CMA(MD) No.895 of 2019

TAMILNADU STATE TRANSPORT CORPORATION,
REP. THROUGH ITS MANAGING DIRECTOR,
BYE PASS ROAD, MADURAI.

... PETITIONER/APPELLANT

Vs

ASHOKAN

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay all further proceedings in pursuant to the award and decree passed in MCOP No.403 of 2016 dated 22.03.2019 on the file of the Motor Accident Claims Tribunal/Special Sub Court, Madurai pending disposal of the above CMA.

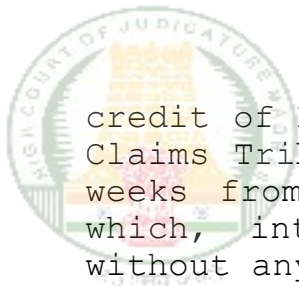
Prayer in CMA(MD)No.895 of 2019 :

Pleased to allow this appeal, set aside the award and decree made in MCOP No.403 of 2016 dated 22.03.2019 on the file of the Motor Accident Claims Tribunal/ Special Sub Court, Madurai.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.P.PRABHAKARAN, Advocate for the petitioner and of Mr.A.THEETHAR, Advocate on behalf of the Respondent the court made the following order:-

On the side of the petitioner, it is stated that the claim petition for compensation is only Rs.3,00,000/- (Rupees Three Lakhs only). The Tribunal has awarded Rs.11,00,000/- (Rupees Eleven Lakhs only) and the stay order may be granted in pursuant to the award passed by the Tribunal.

2.The admitted liability is Rs.9,00,000/- (Rupees Nine Lakhs only). Hence, there shall be an order of Interim Stay on condition that the petitioner/appellant deposits a sum of Rs.9,00,000/- (Rupees Nine Lakhs only) with accrued interests and costs, to the



credit of M.C.O.P.No.403 of 2016, on the file of the Motor Accident Claims Tribunal/ Special Sub Court, Madurai, within a period of six weeks from the date of receipt of a copy of this order, failing which, interim stay granted shall stand automatically vacated, without any reference to this Court.

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3. On such deposit being made, the Tribunal shall deposit the said amount to the credit of C.M.A.No.895 of 2019 before the Indian Bank, High Court Branch, Madurai Bench of Madras High Court, Madurai, in a Fixed Deposit, renewable periodically, within a period of two weeks thereafter.

4. Issue notice to the respondents.

5. Post on 09.03.2020 'for reporting compliance'.

sd/-
23/01/2020

/ TRUE COPY /

/ /2020

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

TO

THE SPECIAL SUBORDINATE JUDGE.
MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURAI.

COPY TO:-

INDIAN BANK,
HIGH COURT BRANCH,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.N.SUDHAGAR NAGARAJ, Advocate (SR-1412[I] dated 24/01/2020)
+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-1206[I] dated 23/01/2020)

ORDER IN
CMP(MD) No.11864 of 2019
IN
CMA(MD) No.895 of 2019
Date :23/01/2020

MRN

TE/PN/SAR-I : 28/01/2020 : 2P/5C

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