



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

Friday, the Tenth day of July Two Thousand Twenty

PRESENT

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

CMP(MD) No.9483 of 2019

IN

CMA(MD) No.301 of 2019

KUMARESAN

... PETITIONER/ RESPONDENT

Vs

THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
(KUMBAKONAM DIVISION - I) KUMBAKONAM,
THANJAVUR 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 petitioner to withdraw 50% of the award amount with accrued interest and cost, which was deposited by the Respondent/Appellant into the credit of MCOP No.458 of 2018, on the file of the Motor Accident Claims Tribunal (Special Sub - Court), Thanjavur, pending disposal of CMA (MD) No. 301 of 2019 on the file of this Hon'ble Court and thus render justice.

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.G.KARNAN, Advocate for the petitioner and of Mr.P.PRABHAKARAN, Advocate on behalf of the Respondent, the court made the following order:-

This petition is filed to permit the petitioner to withdraw 50% of the award amount with accrued interest and cost, which was deposited by the respondent/appellant to the credit of M.C.O.P.No.458 of 2018 on the file of the Motor Accidents Claims Tribunal (Special Sub-Court), Thanjavur.

2.Heard the learned Counsel appearing for the petitioner and the learned Counsel for the respondent.

3.The petitioner herein has filed a claim petition in M.C.O.P.No.458 of 2018 claiming compensation to the tune of Rs.15,00,000/- pursuant to the accident met with by him. The manner of accident and the injury sustained by the petitioner is not in dispute. Considering the fact that there were several fractures on the right leg of the petitioner and the loss of income, the



Tribunal has awarded a sum of Rs.5,93,700/-. It is stated that the respondent in this petition, namely, the appellant in the main appeal, has deposited the award amount with accrued interest and cost.

4. Having regard to the facts and the quantum of compensation ordered by the Tribunal, this Court is inclined to allow this petition. As a result, this petition is allowed and the petitioner is permitted to withdraw 50% of the amount lying to the credit of M.C.O.P.No.458 of 2018 on the file of the Motor Accidents Claims Tribunal (Special Sub-Court), Thanjavur, deposited by the respondent/appellant.

sd/-
10/07/2020

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

TO

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

ORDER
IN
CMP(MD) No.9483 of 2019
IN
CMA(MD) No.301 of 2019
Date :10/07/2020

MS/VR/SAR-2/13.07.2020/2P.2C