



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.03.2021

CORAM

THE HONOURABLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

C.M.A.No.1534 of 2009
and M.P. No.1 of 2009

The Managing Director,
Tamil Nadu State Transport
Corporation, Ltd.,
Salem Division - II,
Dharmapuri.

..Appellant/1st Respondent

Vs.

1.Govindasamy
S/o.Kanikarar @ Govindasamy

2.Mariyathal
S/o.Chinnasamy

3.Lakshmi
S/o.Anumandhar
(As per order of Amendment
in I.A.No.1531/2003 on 07.04.2005)

..Respondents/Petitioners/2nd & 3rd Respond

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 17.11.2005 in M.C.O.P.No.323 of 1998 on the file of the Motor Accident Claims Tribunal, Additional District Court, Dharmapuri.

For Appellant :: Mr.D.Raghu

For R1 to R3 :: Mr.M.Selvam

JUDGMENT

(heard through video-conferencing)

This Civil Miscellaneous Appeal has been filed against the Judgment and Decree dated 17.11.2005 in M.C.O.P.No.323 of 1998 on the file of the Motor Accident Claims Tribunal, Additional District Court, Dharmapuri.



2. The learned counsel for the appellant/Transport Corporation filed a memo, stating that the entire award amount has been deposited before the Trial Court in M.C.O.P.No.323 of 1998 on the file of the Sub-Court, Dharmapuri. Therefore, he would submit that since the entire award amount has been deposited before the Trial Court, the present C.M.A.No.1534 of 2009 has become infructuous. Hence he would urge this Court to record the same and close the C.M.A.No.1534 of 2009.

3. Since the learned counsel for the appellant furnished memo reporting deposit of the entire award amount before the learned Motor Accident Claims Tribunal, Dharmapuri and the claimant had also withdrawn the entire amount, the appeal had become infructuous.

4. In view of the above, while recording the Memo filed on behalf of the appellant/Transport Corporation and taking note of the fact that the claimant had also withdrawn the entire award amount, this Civil Miscellaneous Appeal is closed as it has become infructuous. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

gbi

To

The Motor Accident Claims Tribunal,
Additional District Judge,
Dharmapuri.

Copy To

The Section Officer,
V.R.Section, High Court of Madras.

+1cc to Mr.D.Raghu, Advocate SR.No.

C.M.A.No.1534 of 2009
and M.P. No.1 of 2009

AJS (CO)
GMY (22/07/2021)