

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Eighth day of April Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE R.SUBBIAH

AND

THE HON`BLE MRS JUSTICE S. KANNAMMAL

CMP No.6701 of 2021

IN CMA SR.NO. NO.33442 of 2021

1 K.VINOTH [PETITIONER]

2 HEMASHREE (MINOR)

REP BY HER FATHER K.VINOTH AS NATURAL
GUARDIAN AND NEXT FRIEND.ALL ARE RESIDING AT NO.38
VEMBULIAMMAN KOIL STREET, GOWRIVAKKAM, CHENNAI 600073.

Vs

1 V.SHANKAR [RESPONDENTS]

2 ABDUL RAZEED

3 UNITED INDIA INSURANCE CO LTD
SILINGI BUILDINGS, NO.134/40, 42 GREAMS ROAD,
CHENNAI 600006.

4 THE MANAGING DIRECTOR
METROPOLITAN TRANSPORT CORPORATION LTD,
CHENNAI 600002.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant him exemption in payment of Deficit Court fee of Rs.60000/- for the present on the restricted value in appeal and pass such further or other orders as this Honble Court. (CMP.6701/2021) IN CMA.SR.NO.33442/2021

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.G.BALAJI PRASAD, Advocate for the petitioner the court made the following order:-

This petition has been filed to grant exemption of deficit Court fee of Rs.60,000/- for the present.
<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned counsel appearing for the petitioners.

3. The learned counsel for the petitioners / appellants has submitted that the appeal has been filed by the claimants to set aside the order of dismissal of the claim petition and award a compensation of Rs.70,00,000/-. It is further submitted that for the said compensation amount, the Court fee comes to Rs.69,373/-, out of which, the petitioners have already paid a part Court fee of Rs.9,373/-. This petition has been filed seeking exemption from paying the balance Court fee of Rs.60,000/-.

4. The learned counsel for the petitioners / appellants further submitted that the petitioners have spent more than Rs.22 Lakhs for medical treatment of the deceased and due to financial constraint, now they are not in a position to pay the balance deficit Court fee of Rs.60,000/-. Hence, he sought for exemption of Court fee.

5. Considering the above submissions, this Court grants exemption in paying the deficit Court fee of Rs.60,000/- for the present. However, it is made clear that the petitioners shall pay the balance Court fee before receiving a copy of the final judgment. Accordingly, the petition is ordered.

-sd/-

08/04/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHIEF JUDGE
SMALL CAUSES COURT, MOTOR ACCIDENTS CLAIMS
TRIBUNAL CHENNAI

2 THE SUB ASSISTANT REGISTRAR
AE SECTION, HIGH COURT, MADRAS

Order
in

CMP.6701/2021

IN CMA SR.NO. NO.33442 of 2021

Date :08/04/2021

From 26.2.2001 the Registry is issuing certified
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MJ 16/04/2021