WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Twenty Third day of July Two Thousand Twenty One

PRESENT

THE HON`BLE MRS JUSTICE S.KANNAMMAL

CMP NO.10853/2021

IN CMA(SR).NO.36665/2021

I.RAJENDIRAN [PETITIONER]

Vs

1 R.SATHIS [RESPONDENTS]
S/O RAVI, NO.30/33B,27TH STREET,
G.K.M.COLONY, CHENNAI 600 028
(SINE R1 REMAINED EXPARTE BEFORE THE TRIBUNAL,
HIS PRESENCE MAY BE DISPENSED WITH)

2 RELIANCE GENERAL INSURANCE COMPANY LIMITED,
LEGAL DEPARTMENT, RELIANCE HOUSE,
6TH FLOOR, NO.6,HADDOWS ROAD,
NUNGAMBAKKAM, CHENNAI 600 006

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order for exemption of Court Fee for a sum of Rs. 4,000/- in the above CMA and to pass such and proper in the circumstance of the case and thus render justice CMP NO.10853/2021.

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.F.TERRY CHELLA RAJA, Advocate for the petitioner the court made the following order:-

This petition is filed by the petitioner / appellant / claimant seeking exemption from payment of Court fee of Rs.4,000/-.

2. Heard the learned counsel for the petitioner.

3. It is seen from the affidavit filed in support of this petition that, vide award dated 02.03.2020, the Tribunal has awarded a total compensation of Rs.4,85,950/- for the injuries sustained by the petitioner, in an accident that had occurred on 09.11.2015; though the Tribunal has directed both the first and second respondents, being jointly and severally to deposit the award amount with interest and costs within a period of 60 days, the first and second respondent has not complied with the said

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

WEB COPY

direction; and as the claimant has no source of income, he finds it difficult to pay the court fee. Hence, the petitioner sought to exempt him from paying the court fee of Rs.4,000/-.

4. It is submitted by the learned counsel for the petitioner that due to the injuries sustained by the petitioner, he is spending more money towards medical expenses.

5. Considering the aforesaid submissions as well as the reasons stated in the affidavit filed in support of this petition, this Court is of the view that exempting 50% of the Court fee, i.e., Rs.2,000/- to the claimant would meet the ends of justice. Accordingly, this petition is partly-allowed, by exempting 50% of the Court fee payable by the petitioner. The petitioner / claimant is directed to pay the balance 50% of the court fee, i.e., Rs.2,000/- in the above Appeal, within four weeks from the date of receipt of a copy of this order. However, it is made clear that in the event of the petitioner / appellant / claimant, succeeding in the Appeal, he shall pay the necessary court fee for the entire compensation amount.

-sd/-
23/07/2021
/ TRUE COPY /

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

TO

1 THE JUDGE
IV, SMALL CAUSES COURT,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
CHENNAI

Order

in
CMP NO.10853/2021

IN CMA(SR).NO.36665/2021

Date :23/07/2021

From 26.2.2001 the Registry is issuing certified copies of the Interim Orders in this format
PA (03/08/2021)

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