



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Fourth day of August Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE S.VAIDYANATHAN

CMP.No.13169 of 2021

IN CMA.No.SR.68620 of 2021

1 PARAMESWARI [PETITIONERS]

2 THANGARAJ

3 STALIN

4 ALLIRANI

5 M.MATHIARASAN

Vs

1 B.PANNEERSELVAM [RESPONDENTS]

2 ICICI LOMBARD GENERAL INSURANCE CO LTD,
NO.84 AND 85, 1ST FLOOR,
WALLTAX ROAD, CHENNAI-600 079.

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 exempt payment of the Court fee of Rs.14,908.50/- (Rupees Fourteen Thousand and nine hundred and fifty one and paise fifty only) in the above appeal (In CMP.No.13169/2021).

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.J.RADHIKA, Advocate for the petitioners, the court made the following order:-

C.M.P.No.13169 of 2021 is filed to exempt the petitioners from paying Court fee of Rs.14,908.50/- in the C.M.A.No.SR.68620 of 2021.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The learned counsel appearing for the petitioner sought to file a Civil Miscellaneous Appeal for enhancement of compensation,



which is in SR stage in C.M.A.No.SR.68620 of 2021. Along with the same, this Civil Miscellaneous Petition has been filed for exemption of Court fee of Rs.14,908.50 for the present, for filing CMA. He has further undertaken to pay the Court fee at a later stage.

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4. Considering the reasons stated in the affidavit filed in support of this petition, the Civil Miscellaneous Petition is ordered and the petitioner is exempted from payment of the Court Fee for the present.

5. It seems that the Insurance Company has not filed any appeal and therefore, the entire amount awarded by the Tribunal would have been deposited before it. Hence, **Registry is directed to ascertain from the Tribunal as to whether there is any disbursement of amount to the claimants.** In case any portion of the amount is withdrawn / going to be withdrawn from the amount lying in deposit with the Tribunal by any of the claimants, the Court fee shall have to be paid forthwith. If the fee is not paid within a period of one month from today (in case already withdrawn) / from the date of withdrawal of any portion of the amount (to be withdrawn) from the Tribunal, even though the Civil Miscellaneous Appeal has been ordered to be numbered today, it will stand automatically dismissed, on the ground of non payment of Court fee, which has been exempted for the present.

-sd/-

24/08/2021

/ TRUE COPY /

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

TO

THE SPECIAL II JUDGE,
COURT OF SMALL CAUSES,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
CHENNAI.

Copy to

THE ASSISTANT REGISTRAR,
AE SECTION, HIGH COURT, MADRAS-104.

Order

in

CMP.No.13169 of 2021

IN CMA.No.SR.68620 of 2021

Date :24/08/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
DP (08/09/2021)