



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

Tuesday, the Twenty Second day of June Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice K.KALYANASUNDARAM
and
The Hon`ble Mr.Justice B.PUGALENDHI

CMP (MD) No.3283 of 2019
IN
CMA (MD) No.SR41554 of 2017

1 SELVARANI
2 MAHENDRA PRASATH

3 MINOR THRISHA
(3RD APPELLANT MINOR AND
REP BY HER GUARDIAN AND
MOTHER, 1ST APPELLANT)

4 JANAKI AMMAL

... APPELLANTS/PETITIONERS

Vs

1 VANJINATHAN
2 RAVICHANDRAN

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of exempting the petitioner to pay the balance court fee of Rs.50,113/- and thus render justice.

PRAYER IN CMA(MD)No.SR41554 of 2017:-

To set aside the award and decree passed in M.C.O.P.No.206/2016 dated 05.10.2016 on the file of the Motor Accident Claims Tribunal/The Special District Court, Thanjavur with reference to the dismissal of the petition as against the second respondent.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.LENIN, Advocate for the petitioners, the court made the following order:-

(Order of the Court was made by K.KALYANASUNDARAM.,J)

This petition is filed seeking exemption from paying the Court fee.

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



2. When the petitioners claimed compensation of Rs.56,00,000/-, the Tribunal chose to pass an order for a sum of Rs.4,86,000/-. For the disallowed portion, the claimants have come up with this appeal.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner Mr.P.Lenin, would state that the petitioners are not in a position to pay huge sum of Rs.50,113/- for the claim made in the appeal, hence, he restrict their claim only to the award passed by the Tribunal.

4. It is his contention that the Tribunal instead of passing award against the second respondent, who is the registered owner of the vehicle, has directed the first respondent, who is said to have purchased the vehicle, to pay the award amount. The learned counsel would also state that the petitioners are ready to pay the Court fee for the amount awarded by the Tribunal.

5. Recording the statement of the learned counsel for the petitioners, the Civil Miscellaneous Petition is dismissed.

sd/-
22/06/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

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

ORDER
IN
CMP (MD) No.3283 of 2019
IN
CMA (MD) No.SR41554 of 2017
Date :22/06/2021

AKV
TK/MNR/SAR.4/25.06.2021/2P/2C