



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the First day of July Two Thousand and Twenty One

PRESENT

The Hon'ble Mr.Justice K.KALYANASUNDARAM

and

The Hon'ble Mr.Justice B.PUGALENDHI

C.M.P. (MD).No.5216 of 2021

in

C.M.A. (MD).SR.No.6976 of 2021

1 R.SENTHAMILSELVI

2 P.ARIVALAZAN

3 S.P.A.HEMALATHA

... PETITIONERS/APPELLANTS

Vs

1 M/s.R.B.S.READYMIX CONCRETE,
No.1/29, SRIMATHI COMPLEX,
PUDUKOTTAI MAIN ROAD,
T.V.S. TOLLGATE,
TIRUCHIRAPPALLI - 620 005.

... RESPONDENT/1st RESPONDENT

2 ASSISTANT MANAGER,
M/S. NATIONAL INSURANCE COMPANY LTD.,
KRT BUILDING, 1ST FLOOR,
33, BHARADHIDASAN ROAD,
PROMENADE ROAD,
CANTONGMENT,
TRICHY - 620 001.

... RESPONDENT/2nd RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to exempt payment of court fees of Rs.1,17,540/- in the appeal CMA SR.No.6976 of 2021 till disposal of the appeal.

Prayer in C.M.A. (MD).SR.No.6976 of 2021:

To modify by enhancing the award passed in and made in M.C.O.P.No.1381 of 2016 on the file of the Special District Judge for MCOP Cases, Tiruchirappalli dated 07/10/2020.

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.K.C.MANIYARASU, Advocate for the petitioners, the Court made the following order:-

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

This petition has been filed seeking exemption from paying Court fee of Rs.1,17,540/- in the appeal.

2. The petitioners are claimants in M.C.O.P.No.1381 of 2016 and they sought compensation of Rs.2,00,00,000/-. The Tribunal has awarded a sum of Rs.71,83,356/-. Not satisfied with the same, they have filed the appeal and seeks exemption from paying the Court fee.

3. Since the petitioners were already awarded Rs.71,83,356/- by the Tribunal, we see no reason to grant exemption to the petitioners from paying the Court fee. Hence, the Civil Miscellaneous Petition is dismissed.

sd/-
01/07/2021

/ TRUE COPY /

/ /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 FOR MCOP CASES,
TIRUCHIRAPPALLI.

ORDER
IN
CMP (MD) No.5216 of 2021 IN
CMA (MD) SR.No.6976 of 2021
Date :01/07/2021

AKV
TE/JC/SAR-II : 07/07/2021 : 2P/2C