



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

Friday, the Eighth day of October Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

C.M.P(MD)No.8109 of 2021
in
C.M.A(MD) SR.No.45891 of 2021

1 S.VELMURUGAN
2 V.SUNDARESWARI

... PETITIONERS/APPELLANTS

Vs

1 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION LTD,
BYE PASS ROAD, MADURAI.

2 S.K.PALANIKUMAR

3 M/S THE NEW INDIA ASSURANCE CO. LTD,,
THIRD PARTY HUB, 70 FEET ROAD,
ELLIS NAGAR, MADURAI.

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to exempt the payment of balance court fee of Rs.97000/- payable by the petitioner in CMA SR NO.45891 of 2021 on the file of this Honourable court during final disposal of the above appeal.

PRAYER IN C.M.A(MD)SR.No.45891 of 2021:

To set aside the fair and decreetal order dated 08.01.2021 and made in MCOP No.92 of 2014 on the file of Motor Accident Claims Tribunal /III Additional District & Sessions Judge (PCR), Madurai, relating to findings as to negligence, apportionment of liability and quantum of compensation, allow the above appeal.

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.R.MUTHU KUMARAN, Advocate for the petitioners, the court made the following order:-

This petition is filed to exempt the payment of balance Court fee of Rs.97,000/- payable by the petitioners in CMA(MD)SR.No.45891 of 2021.



2.The learned counsel appearing for the petitioners submitted that the petitioners have to pay a sum of Rs.1,29,372.50/- as Court fee. The petitioners have paid the Court fee amount of Rs.32,372.50/-. Since they are unable to pay the balance Court fee amount of Rs.97,000/-, they pray this Court that they may be exempted from paying the court fee.

3.The Motor Accident Claims Tribunal/III Additional District and Sessions Judge (PCR), Madurai already compensation awarded in M.C.O.P.No.92 of 2014 by order dated 08.01.2021 and the petitioners were allowed to withdraw 50% of compensation amount and to pay the balance Court fee.

4.Hence, the Civil Miscellaneous petition is dismissed. The petitioners are directed to pay the balance court fee within a period of one month from the date of receipt of a copy of this order.

sd/-
08/10/2021

/ TRUE COPY /

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

TO

THE III ADDITIONAL DISTRICT & SESSIONS JUDGE (PCR),
MOTOR ACCIDENT CLAIMS TRIBUNAL, MADURAI.

COPY TO

THE SUB ASSISTANT REGISTRAR,
A.E SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
C.M.P (MD) No.8109 of 2021
in
C.M.A (MD) SR.No.45891 of 2021
Date :08/10/2021

VB/JM/SAR-II/01.11.2021/2P/3C