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C.R.P.No.4144 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.R.P.No.4144 of 2022
and
C.M.P.No.21615 of 2022

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
No.3/337, Salamedu,
Vazhutha Reddy,
Villupuram.

... Petitioner

Vs.

1. D.Mohan

2.Minor M.Silambarasan

3.Minor M.Dhanush

... Respondents

Prayer:Civil Revision Petition filed under article 227 of the Constitution of India against the Order passed in E.P.No.10 of 2021 in MCOP No.1237 of 2016 dated 29.09.2022 on the file of the Motor Accident Claims Tribunal (Special Sub-Judge) at Cuddalore.

For Petitioner

: Mr.T.Chandrasekaran
Special Government Pleader



ORDER

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The Civil Revision Petition has been instituted against the order passed in E.P.No.10 of 2021 in MCOP No.1237 of 2016 dated 29.09.2022. The Sub Court, Cuddalore in the execution proceedings attached the vehicle belongs to the petitioner/ Tamil Nadu State Transport Corporation Limited. The attachment was subsequently released on deposit of a sum of Rs.2,00,000/- in the credit of MCOP.No.1237 of 2016.

2. The learned Special Government Pleader appearing on behalf of the revision petitioner mainly contended that the appeal filed by the petitioner/ corporation in CMA No.2689 of 2021 was disposed of by the High Court on 28.04.2022 and the amount of compensation awarded by the Motor Accident Claims Tribunal was reduced by Rs.2,50,000/-. Accordingly, the compensation arrived was Rs.52,49,000/- along with the interest. As of now, the petitioner/ corporation has to pay the compensation of Rs.79,34,765/- to the accident victims.

3. The learned Special Government Pleader states that Rs.40,00,000/- had already been deposited on the file of the Motor Accident Claims



Tribunal, Cuddalore and there is no objections for withdrawal of the said amount by the victims. In respect of the balance amount of Rs.39,34,765/-, the learned Special Government Pleader states that the petitioner/ corporation is ready and willing to deposit the said amount in 4 equal installments commencing from 01.01.2023. Due to final implication, the petitioner/ corporation is not in a position to settle the amount in full and thus they have taken a decision to settle the amount in 4 equal installments commencing from 01.01.2023 onwards.

4. In view of the submissions made on behalf of the revision petitioner and considering the fact that the revision petitioner is a public sector government undertaking and facing financial difficulties, this Court is inclined to permit the petitioner to deposit the balance compensation amount of Rs.39,34,765/- in 4 equal installment commencing from 01.01.2023. Every installment is to be deposited on or before 07th day of every calendar month.

5. The respondent/ accident victims are at liberty to withdraw the deposited amount of Rs.40,00,000/- with accrued interest by filing appropriate application before the Motor Accidents Claims Tribunal. At the outset, the respondents are at liberty to withdraw the entire amount with



accrued interest by following the procedures.

WEB COPY 6. With the abovesaid directions, the Civil Revision Petition stands disposed.

15.12.2022

skr/Jeni
Index : Yes
Speaking order

To
The Special Judge,
Motor Accident Claims Tribunal,
Cuddalore.



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S.M.SUBRAMANIAM, J.

skr

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