



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

Wednesday, the Nineteenth day of January Two Thousand and Twenty Two

PRESENT

The Hon`ble Ms.Justice P.T.ASHA

CMP(MD) No.145 of 2022
and
CRP(MD)No.27 of 2022

THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT
CORPORATION(MADURAI) LIMITED,
DINDIGUL REGION.

... PETITIONER/ PETITIONER

Vs

M.KARTHICK

... RESPONDENT/ RESPONDENT

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 direction directing the Motor Accident Claims Tribunal, Subordinate Judge,Theni to release the bus bearing registration No.TN 57 N 2203 which is in custody in connection with E.P.No.75 of 2019 in MCOP.No.18 of 2015 pending disposal of the Civil Revision Petition.

Prayer in CRP(MD) . 27/ 2022 :

To call for the records and to set aside and to set aside order passed dated 22-12-2021 in E.A.No.2 of 2021 in E.P.No.75 of 2019 in MCOP.No.18 of 2015 on the file of the Motor Accident Claim Tribunal, Subordinate Judge,Theni.

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.SUDALAIYANDI, Advocate for the petitioner,the court made the following order:-

This Civil Miscellaneous Petition has been filed for releasing the bus bearing Registration No.TN 57 N 2203 in execution of the award in M.C.O.P.No.18 of 2015 on the file of the Motor Accident Claims Tribunal, Subordinate Judge, Theni.

2.The petitioner-Transport Corporation, on the direction of this Court, has filed an affidavit of undertaking in which, they have stated that the amount as directed by the Executing Court has been deposited less the income tax deducted at source of a sum of Rs.55,335/-. In the undertaking affidavit, it is further stated



compensation is already the subject matter before a Full Bench. Therefore, the following undertaking has been given by the Assistant Manager (Legal), Dindigul Region:-

"4.I humbly submit that in these circumstances the petitioner transport corporation is giving this undertaking by saying that if at all any order from the larger bench in favour of the claimants in the above said TDS issue which is pending as on date, this petitioner transport corporation is ready to disburse the TDS amount of Rs.55,355/- to the respondent herein within a period of two weeks from the date of receipt of such order from the larger bench."

3.On the basis of the above undertaking, this Court directs the Executing Court to release the bus bearing Registration No.TN 57 N 2203 belonging to the petitioner-Transport Corporation within a week from the date of production of a copy of this order by the petitioner-Transport Corporation.

4.Accordingly, this Civil Miscellaneous Petition is ordered.

sd/-

19/01/2022

/ TRUE COPY /

/ /2022

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

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THENI.

+1 CC toM/s.K.SUDALAIYANDI, Advocate (SR-303[I] dated 19/01/2022)

ORDER

IN

CMP(MD) No.145 of 2022

AND

CRP(MD) No.27 of 2022

Date :19/01/2022

abr

PKP/JM/SAR-4/20.01.2022/2P/3C