



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

Friday, the Twenty Ninth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN
and
The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.3254 of 2022
in
CMA(MD)No.9 of 2022

SURYAGANDHI

... PETITIONER/1st RESPONDENT

Vs

1 TAMIL NADU STATE TRANSPORT CORPORATION (KUMBAKONAM LTD),
REP BY ITS MANAGING DIRECTOR NO. 27,
RAILWAY STATION ROAD
KUMBAKONAM, THANJAVUR DISTRICT.

...1st RESPONDENT/APPELLANT

2 S.A. KRISHNASAMY

3 UNITED INDIA INSURANCE COMPANY LTD,
REP BY ITS MANAGER,
NO. 96-B, K.T.COMPLEX, NEW SCHEME ROAD
POLLACHI, COIMBATORE.

... RESPONDENTS 2&3/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioner to withdraw the 50 percentage of the award amount with accrued interest and cost which was deposited by the 1st respondent and lying in the credit of MCOP No. 93 of 2019 on the file of Motor Accident Claims Tribunal, Additional Sessions Judge, Karur pending disposal of the above Civil Miscellaneous Appeal.

Prayer in CMA(MD) . 9/ 2022 :

Pleaded to set aside the impugned award passed in MCOP No.93 of 2019 on the file of the MACT (Additional Sessions Court), Karur dated 19.10.2019 and pass any other order deem fit to the facts and circumstances of the case.

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 M/S.P.SELVAKAMATCHI, Advocate for the petitioner and of MR.P.M.VISHNUVARTHANAN, Advocate on behalf of the 1st Respondent and of MR.D.SENTHIL, Advocate for the 2nd Respondent and of MR.C.JAWAHAR RAVINDRAN, Advocate for the 3rd Respondent, the

<https://hcservices.courts.gov.in/hcservices/>
Court made the following order:-



The petitioner seeks permission to withdraw the 50% of the award amount that is deposited to the credit of MCOP.No.93 of 2019 on the file of the Additional Sessions Judge, Motor Accident Claims Tribunal, Karur.

2. Heard the learned counsel on either side.

3. The respondent Corporation has come up with the appeal questioning the award of a sum of Rs.22,72,000/- (Rupees Twenty Two Lakhs Seventy Two Thousand only) for the death of one Gunasekaran in a road accident that occurred on 08.05.2016.

4. Pursuant to the interim order granted by this Court on 10.01.2022, the Corporation has deposited the entire compensation with proportionate interest and costs.

5. Considering the quantum awarded, we permit the petitioner to withdraw 50% of the compensation so deposited with proportionate accrued interest and the entire costs. The remaining amount is directed to be deposited in anyone of the nationalised bank in a fixed deposit for a period of three years with auto renewal clause.

sd/-

29/04/2022

/ TRUE COPY /

/ /2022

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

TO

THE ADDITIONAL SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
KARUR.

+1 CC to M/s.P.SELVAKAMATCHI, Advocate (SR-4125[I]dated 29/04/2022)

ORDER
IN
CMP(MD) No.3254 of 2022
in
CMA(MD)No.9 of 2022
Date :29/04/2022

rm

PKP/JM/SAR-2/09.05.2022/2P/3C