



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

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

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

C.M.P. (MD) .No.8280 of 2022
in
C.M.A. (MD) .No.362 of 2022

1 G.MEENA

2 G.THIYAGARAJAN

3 G.VINOTH KANNAN

... PETITIONERS/RESPONDENTS/
PETITIONERS

Vs

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION,
KUMBAKONAM.

... RESPONDENT/APPELLANT/
RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to withdraw 50 of the award amount together with interest and costs deposited by the Respondent/Appellant in MCOP.No.274/2018 on the file of the Motor Accidents Claim Tribunal Cum Principal Subordinate Judge, Kumbakonam and render justice.

Prayer in CMA(MD) . 362/ 2022 :

Civil Miscellaneous Petition filed under section 173 of Motor Vehicles Act to set aside the impugned award passed in MCOP No. 274 of 2018 dated 04.08.2020 on the file of the MACT (Principal Sub Court), Kumbakonam.

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.C.ARUNMOZHI RAJASHANKAR, Advocate for the petitioner and of M/S.S.MADASAMY, Advocate on behalf of the Respondent the court made the following order:-

This Civil Miscellaneous Petition has been filed to permit the petitioners to withdraw 50% of the award amount with entire accrued interest and the costs lying in the credit of M.C.O.P.No.274 of 2018 on the file of the Motor Accidents Claims Tribunal (Principal Subordinate Judge Court), Kumbakonam.



2. Heard the learned counsel appearing for the petitioner as well as the respondent.

3. The learned counsel appearing for the respondent would submit that as per the interim order passed by this Court dated 13.04.2022, the respondent has already deposited 50% of the award amount with proportionate interest and costs before the Tribunal and they have no objection to withdraw the same.

4. In view of the above, this Court permits the petitioners to withdraw 50% of the award amount together with proportionate interest and costs, which was lying in the credit of M.C.O.P.No.274 of 2018 on the file of the Motor Accident Claims Tribunal (Principal Subordinate Court), Kumbakonam, as per the apportionment fixed by the Tribunal, on filing necessary application before the Tribunal.

5. Accordingly, this Civil Miscellaneous Petition is ordered.

sd/-
28/10/2022

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/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

csn

TO

THE PRINCIPAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, KUMBAKONAM.

ORDER
IN
C.M.P. (MD) .No.8280 of 2022
in
C.M.A. (MD) .No.362 of 2022
Date :28/10/2022

RK/GB/SAR-2 (01/11/2022) 2P/2C