



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

Thursday, the Tenth day of November Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD) No.6762 of 2022

AND

CMA(MD) No.535 of 2022

WEB COPY

SUBRAMANIAN

... PETITIONER/RESPONDENT/PETITIONER

Vs

THE BRANCH MANAGER,
TAMILNADU STATE TRANSPORT CORPORATION,
KARAIKUDI TALUK,
SIVAGANGAI DISTRICT.

... 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 pass a necessary order by allowing this petition and thereby permit the petitioner to withdraw 50 percentage of the award amount together with proportionate interest and costs which was deposited by the appellant in M.C.O.P.No.9 of 2017 dated 28-12-2021 before the Motor Accident Claims Tribunal / Chief Judicial Magistrate Court, Pudukkottai.

Prayer in CMA(MD).535 of 2022 :

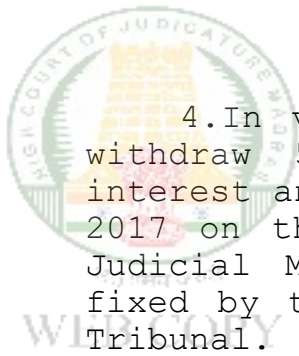
To allow this appeal, set aside the award and decree made in M.C.O.P.No.9 of 2017 dated 28.12.2021 on the file of the Motor Accident claims Tribunal / Chief Judicial Magistrte Court, Pudukkottai.

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.A.BANUMATHY, Advocate for the petitioner and of MR.P.PRABHAKARAN, Advocate on behalf of the Respondent, the court made the following order:-

This Civil Miscellaneous Petition has been filed to permit the petitioner to withdraw 50% of the award amount with entire accrued interest and the costs lying in the credit of M.C.O.P.No.9 of 2017 on the file of the Motor Accidents Claims Tribunal / Chief Judicial Magistrate Court, Pudukkottai.

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

3.The learned counsel appearing for the respondent/Transport Corporation would submit that as per the interim order passed by this Court dated 17.06.2022, the respondent has already deposited 50% of the award amount with proportionate interest and costs before the Motor Accident Claims Tribunal and they have no objection to withdraw the same.



CMP(MD)



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4. In view of the above, this Court permits the petitioner 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.9 of 2017 on the file of the Motor Accidents Claims Tribunal / Chief Judicial Magistrate Court, Pudukkottai, as per the apportionment fixed by the Tribunal, on filing necessary application before the Tribunal.

5. Accordingly, this Civil Miscellaneous Petition is ordered.

sd/-

10/11/2022

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/11/2022

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL /
CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

ORDER

IN

CMP(MD) No.6762 of 2022

AND

CMA(MD) No.535 of 2022

Date :10/11/2022

csm

RS/TR/SAR.2(14.11.2022) 2P-2C