



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

Tuesday, the Twentieth day of September Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

C.M.P. (MD) No.7064 of 2022
in
C.M.A. (MD) No.826 of 2019

1 RAJESWARI

2 VISHALAKSHI

3 MINOR. SIVABALAN
(MINOR PETITIONER REP. THROUGH THEIR
MOTHER AND NEXT GUARDIAN THE 2ND
PETITIONER HEREIN)

... PETITIONERS/RESPONDENTS

Vs

TAMIL NADU STATE TRANSPORT CORPORATION LIMITED,
THROUGH ITS GENERAL MANAGER,
OFFICE AT RANITHOTTAM, NAGERCOIL. ... RESPONDENT/APPELLANT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioners to withdraw admitted amount of Rs. 6,00,000/- deposited to credit of M.C.O.P. No. 164 of 2016 on the file of Motor Accident Claims Tribunal (Chief Judicial Magistrate) Tirunelveli, pending disposal of the above Civil Miscellaneous Petition.

PRAYER IN C.M.A. (MD) No.826 of 2019:

Pleased to allow this appeal, set aside the award and decree made in M.C.O.P.No.164/2016 dated 13.11.2018 on the file of the Motor Accident Claims Tribunal/Chief Judicial Magistrate Court, Tirunelveli.

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.T.SELVAKUKMARAN, Advocate for the petitioner and of M/S.P.PRABHAKARAN, Advocate on behalf of the Respondent the court made the following order:-



This petition is filed to permit the petitioners to withdraw the admitted amount of Rs.6,00,000/- deposited by the Transport Corporation.

2. Heard both sides.

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3. It is seen that the appellant has admitted the liability to the tune of Rs.6,15,000/- and the amount was already deposited by the Transport Corporation. The petitioners filed this Petition to withdraw the admitted amount.

4. In view of the same, this Court directs the petitioners to withdraw the 50% of the admitted amount. The major claimants are permitted to withdraw their proportionate share out of the 50% of the admitted amount.

5. The representative of the minor, who is the second respondent herein, is entitled to receive interest for the share of the minor in the 50% of the admitted amount.

6. This petition is allowed accordingly.

sd/-

20/09/2022

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/09/2022

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

LS

TO

1. THE MOTOR ACCIDENT CLAIMS TRIBUNAL/
CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

2. THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION LIMITED,
OFFICE AT RANITHOTTAM, NAGERCOIL.

+1. C.C. to M/S.T.SELVAKUKMARAN Advocate SR.No.10311

ORDER

IN

C.M.P. (MD) No.7064 of 2022
in

C.M.A. (MD) No.826 of 2019

Date : 20/09/2022

RK/GB/SAR-1 (23/09/2022) 2P/4C

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