



WEB COPY

CMP(MD)



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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.9481 of 2022

in

CMA(MD) No.801 of 2022

JOTHIBASS @ JOTHIBASU

... PETITIONER/RESPONDENT

Vs

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION,
KARAIKUDI.

... RESPONDENT/APPELLANT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to withdraw 50 percent of the award amount deposited to the credit of MCOP.No.672 of 2015 on the file of the Motor Accident Claims Tribunal (Additional District and Special Judge), Pudukkottai, pending disposal of the above civil miscellaneous appeal in this Honourable Court.

Prayer in CMA(MD). 801/ 2022 :

To set aside the impugned award passed in MCOP.No.672 of 2015 dated 21-04-2021 on the file of the Motor Accident Claims Tribunal (Additional District and Special Court), Pudukottai.

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.K.C.MANIYARASU, Advocate for the petitioner and of MR.P.M.VISHNU VARTHANAN, 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.672 of 2015 on the file of the Motor Accidents Claims Tribunal (Additional District and Special Judge), 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 24.08.2022, 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 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.672 of 2015 on the file of the Motor Accidents Claims Tribunal (Additional District and Special Judge), 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 ADDITIONAL DISTRICT AND SPECIAL JUDGE/
MOTOR ACCIDENT CLAIMS TRIBUNAL,
PUDUKKOTTAI.

+1 CC to M/s.K.C.MANIYARASU, Advocate (SR-12790[I] dated 10/11/2022)

ORDER

IN

CMP(MD) No.9481 of 2022

in

CMA(MD) No.801 of 2022

Date :10/11/2022

csm

RS/VR/SAR.4(14.11.2022) 2P-3C