



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

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

PRESENT

The Hon`ble Mrs.Justice N.MALA

C.M.P. (MD) No.9867 of 2022
in
C.M.A (MD) No.343 of 2022

1 KALAIYARASI

2 NANTHINI

3 KALPANA

4 VIJAY

5 DHANAPAKIYAM

... PETITIONER/RESPONDENTS NO.1 TO 5

Vs

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION,
(KUMBAKONAM) LIMITED,
PUDUKOTTAI TOWN AND DISTRICT.

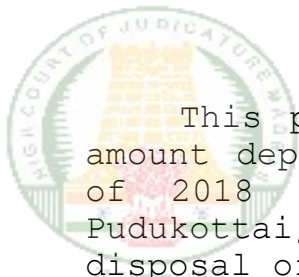
... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit petitioners to withdraw the 50 percentage of the award amount deposited by the Respondent to the credit of M.C.O.P.No.275 of 2018 on the file of the Motor Accident Claim Tribunal, Pudukottai, (Additional District Court) Pudukottai Pending disposal of the above Civil Miscellaneous Appeal.

Prayer in CMA(MD). 343/ 2022 :

Civil Miscellaneous Appeal Under Section 173 of Motor Vechile Act, to set aside the impugned award passed in MCOP.No.275 of 2018 dated 20-11-2020 on the file of the MACT (Additional District Court), Pudukottai and pass any other order deem fit to the facts and circumstances of the case and thus render justice.

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.R.BALAKRISHNAN, Advocate for the petitioner and of M/S.P.M.VISHNU VARTHANAN, on behalf of the Respondent the court made the following order:-



This petition is filed to withdraw 50 percentage of the award amount deposited by the respondent to the credit of M.C.O.P.No.275 of 2018 on the file of the Motor Accident Claim Tribunal, Pudukottai, (Additional District Court), Pudukottai, pending disposal of the above Civil Miscellaneous Appeal.

2.The learned counsel for the petitioners submits that 50% of the award amount of Rs.7,80,000/- was already deposited by the Transport Corporation before the Motor Accident Claim Tribunal, Pudukottai, (Additional District Court), Pudukottai.

3.The learned counsel for the appellant/respondent submits that he has no objection to withdrawal of the said amount by the petitioners.

4.In the light of the submission made by the learned counsel for the respondent, the petition is allowed and the petitioners are permitted to withdraw 50% of the award amount of Rs.7,80,000/-, which has already been deposited before the Motor Accident Claim Tribunal, Pudukottai, (Additional District Court), Pudukottai.

sd/-
20/12/2022

/ TRUE COPY /

/01/2023

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

dss

TO

1.THE MOTOR ACCIDENT CLAIM TRIBUNAL PUDUKOTTAI,
(ADDITIONAL DISTRICT COURT),
PUDUKOTTAI.

2.THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION,
(KUMBAKONAM) LIMITED,
PUDUKOTTAI TOWN AND DISTRICT.

+1 CC to M/s.R.BALAKRISHNAN Advocate (SR-15187[I] dated
20/12/2022)

ORDER
IN
C.M.P. (MD) No.9867 of 2022
in
C.M.A (MD) No.343 of 2022
Date :20/12/2022