

**CMP.No.15429 of 2019 in CMA.No.2261 of 2003**

A.A.NAKKIRAN.,J.

This petition has been filed seeking a direction directing the V Small Causes Court, Chennai, to pay the amount of Rs.12,05,174/- as on 28.03.2019 in EP.No.766 of 2014 in OP.No.746 of 1996 on the file of V Small Causes Court, Chennai and directly pay to the 1st petitioner by way of cheque or may be transferred to 1st petitioners bank account by way of RTGS.

2. This Court by its order dated 27.01.2010 has disposed of the abovesaid appeal by enhancing the award amount from Rs.7,20,000/- to Rs.8,08,140/- to be paid by the National Insurance Company, Pondicherry/8th respondent in the appeal.

3. On 11.03.2019, recall petition in EA.No.2449 of 2019 filed by claimants was allowed and a sum of Rs.12,05,174/- received by them. In CMP.No.15429 of 2019, dated 23.09.2019, the learned counsel for the claimants submitted that all the claimants have agreed before the Tribunal, to transfer their share to the account of the first claimant.

4. On perusal of records, it is seen that this court by its order dated 03.10.2019 has directed the Tribunal to transfer the remaining sum of Rs.7,05,174/- lying in the credit of EP.No.766 of 2014 in OP.No.746 of 1996 to the account of the first claimant viz., Mrs.Maragadhavali, on or before 04.10.2019.

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5. Heard both sides.

6. The learned counsel for the claimants has submitted that as per the order dated 12.11.2003, in CMP.No.13686 of 2003, United India Insurance Co., Ltd., has deposited Rs.6,71,748/- before the Sub-Court, Tindivanam in MCOP.No.746 of 1996. As per the interim order, the claimant withdrew a sum of Rs.4,85,550/- only.

7. In view of the submission made by the learned counsel on either side and being satisfied with the reasons stated in the accompanying affidavit, this petition is allowed directing the Sub-Court, Tindivanam to transfer the amount deposited before them in MCOP.No.746 of 1996 to the V Small Causes Court, Chennai. Thereafter, the claimants are permitted to withdraw the entire amount from the V Small Causes Court, Chennai as per the order dated 03.10.2019.

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