



WEB COPY



CRP No.4207 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Civil Revision Petition No.4207 of 2023

Shajahan

... Petitioner

Versus

The Managing Director,
SETC Limited,
No.2, Thiruvalluvar House,
Pallavan Salai, Mount Road,
Chennai-600 002.

... Respondent

Civil Revision Petition filed Under Article 227 of the Constitution of India, praying to set aside the order in M.P.No.2 of 2023 which was partly allowed before the tribunal and allow the petitioner to withdraw the entire award amount with interest and cost in M.P.No.2 of 2023 in MCOP.No.1514 of 2020, dated 04.09.2023, on the file of the Motor Accidents Claims Tribunal in the IV Court of Small causes, Chennai.

For Petitioner : Mr. R. Mohan Babu

ORDER

The petitioner has filed this revision petition to set aside the order in M.P.No.2 of 2023 which was partly allowed before the tribunal and allow the petitioner to withdraw the entire award amount with interest and cost in



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M.P.No.2 of 2023 in MCOP.No.1514 of 2020, dated 04.09.2023, on the file of the Motor Accidents Claims Tribunal in the IV Court of Small causes, Chennai.

2. Heard, Mr. R. Mohan Babu, learned counsel for the petitioner and perused the materials available on record.

3. The learned counsel for the petitioner submitted that before the trial Court the petitioner has filed M.P.No.2 of 2023 to withdraw the award amount passed by the Motor Accident claims Tribunal and the same was dismissed by the learned trial Judge. Aggrieved the same the petitioner has filed this revision petition.

4. The learned counsel for the respondent submitted that already he suffered with injury and partial disability and he wants to withdraw the entire amounts in order to develop his economy. If the petitioner withdraw of the entire award amount would not cause any prejudice, even the respondent has also not raised any objection to withdraw the entire award amount.



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5. Considering the facts and circumstances, this Court is inclined to set aside the order passed by the learned trial Judge and the petitioner is permitted to withdraw the entire award amount deposited by the respondent, on proper identification and on filing appropriate application before the trial Court as per the existing rules.

6. Accordingly, this Civil Revision Petition is Allowed. No costs.

20.11.2023

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No

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To

- 1.The Motor Accidents Claims Tribunal in the IV Court of Small causes,
Chennai.
- 2.The Section Officer,
VR-Section, High Court of Madras.



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T.V.THAMILSELVI, J.

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