



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

Monday, the Thirteenth day of February Two Thousand and  
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mrs.Justice N.MALA

CMP.(MD)No.159 of 2023  
in

CMA.(MD)No.838 of 2022

FATHI MUTHU ZAHARA,

... PETITIONER/RESPONDENT

Vs

M/S. TAMILNADU STATE TRANSPORT CORPORATION LIMITED,,  
NO. 19, THIRUVANANTHAPURAM ROAD,  
VANNARAPETTAI POST,  
TIRUNELVELI - 627 003.

REPRESENTED BY ITS MANAGING DIRECTOR. ... 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 petitioner to withdraw deposited amount to credit of M.C.O.P. No. 1414 of 2018 on the file of the Motor Accident Claims Tribunal, (III Additional District Court) Tirunelveli, pending disposal of the above Civil Miscellaneous Petition and thus render justice.

Prayer in CMA(MD). 838/ 2022 :

Civil Miscellaneous Petition filed under Section 173 of Motor Vehicle Act to call for the records relating to the order and decreetal order dated 25-11-2021 passed in M.C.O.P.No.1414 of 2018 by the Motor Accident Claims Tribunal / (III -Additional District Court) Tirunelveli and set aside the same.

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.SELVAKUMARAN, Advocate for the petitioner and of M/S.R.RAJA MOHAN, Advocate on behalf of the Respondent, the court made the following order:-

This civil miscellaneous petition has been filed to withdraw the deposited amount to the credit of MCOP.No.1414 of 2018 on the file of the Motor Accident Claims Tribunal (III Additional District Court), Tirunelveli.



2.The learned counsel appearing for the respondent submitted that the amount deposited is an admitted amount and therefore he has no objection for the petitioners' withdrawal.

(\*)3.The petitioner is directed to withdraw the award amount in the same proportion as directed by the Tribunal in the Judgment and decree dated 25.11.2021. This petition is ordered, accordingly. It is submitted that connected CMA(MD)No.910 of 2022 is also pending. Registry is directed to post this CMA along with CMA(MD) No.910 of 2022.

sd/-  
13/02/2023

(\*)FOR BEING MENTIONED AS PER ORDER  
OF THIS HON'BLE COURT DATED  
01.03.2023 IN CMP(MD).159/2023 IN  
CMA(MD).838/2022

/ TRUE COPY /

/02/2023

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

gns

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 13/02/2023 ALREADY DESPATCHED  
THE MOTOR ACCIDENT CLAIMS TRIBUNAL,  
(III ADDITIONAL DISTRICT COURT) TIRUNELVELI.

COPY TO

THE SECTION OFFICER,  
JUDICIAL SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.SELVAKUMARAN, Advocate ( SR-2244[I] dated  
14/02/2023 )

ORDER  
IN  
CMP.(MD)No.159 of 2023  
in  
CMA.(MD)No.838 of 2022  
Date :13/02/2023

RK/SSS/SAR-4 (17/02/2023) 2P/4C  
GNS  
SA/BUC/SAR.1/13.03.2023/2P/4C