



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

Thursday, the Sixteenth day of February Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mrs.Justice N.MALA

CMP(MD) No.868 of 2023

IN

CMA(MD) No.467 of 2022

1 INDHIRA
2 AKALYA
3 MUKILAN

... PETITIONERS/RESPONDENTS NO.1 to 3

Vs

THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION,
HAVING OFFICE AT,
KUMBAKONAM BRANCH,
RAILWAY STATION NEW ROAD,
KUMBAKONAM.

... RESPONDENT/APPELLANT

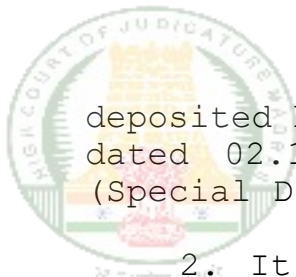
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to withdraw the 50 percent of the award amount deposited by the respondent to the credit of MOCP.No.967 of 2016, dated 02-12-2020 on the file of the MACT(Special District Court),Thanjavur, pending disposal of the above civil miscellaneous appeal and pass any other order deem fit to the facts and circumstances of the case and thus render justice.

Prayer in CMA(MD) . 467/ 2022 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the impugned award passed in MOCP.No.967 of 2016, dated 02-12-2020 on the file of the MACT(Special District Court),Thanjavur 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. VISHNUVARATHAN, Advocate on behalf of the Respondents the court made the following order:-

<https://www.mhc.tn.gov.in/judis> This petition is filed to withdraw 50% of the award amount



CMP(MD)



23

deposited by the respondent to the credit of M.C.O.P.No.967, dated 02.12.2020 on the file of Motor Accident Claims Tribunal (Special District Court), Thanjavur.

2. It is submitted that in C.M.P(MD)No.4125 of 2022 by order dated 06.06.2022, this Court granted an interim stay on a condition that the respondent deposits 50% of the award amount.

3. The learned counsel for the respondent submits that the above conditional order has been complied with and that he has no objection to the petitioner withdrawing the 50% of the award amount.

4. In the light of the said submission, the petitioner is permitted to withdraw 50% of the award amount deposited, in the same proportion as directed by the tribunal. The petition is accordingly ordered.

sd/-

16/02/2023

/ TRUE COPY /

/02/2023

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

SN

TO

1 Motor Accident Claims Tribunal (Special District Court),
Thanjavur.

+1. C.C. to M/S.R. BALAKRISHNAN Advocate SR.No.2608(I)

ORDER

IN

CMP(MD) No.868 of 2023

IN

CMA(MD)No.467 of 2022

Date :16/02/2023

VA/BUC/SAR-1/27.02.2023/2P/3C