



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

Tuesday, the Fourteenth day of February Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mrs.Justice N.MALA

CMP(MD) No.1372 of 2023

IN

CMA(MD) No.286 of 2022

1 MARIAMMAL

2 MINOR. PRITHIKA,

3 MINOR. PRIYANKA,

(MINOR PETITIONERS No.2 AND 3 ARE REP.BY
THE GUARDIAN OF THE 1st PETITIONER HEREIN)

4 ALAGAMMAL

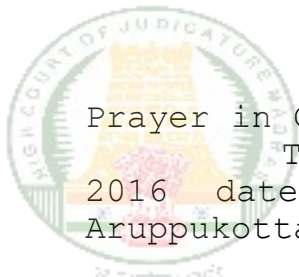
5 ALAGUSUNDARAM ... PETITIONERS/RESPONDENTS No.1 TO 5/CLAIMANTS

Vs

1 TAMIL NADU STATE TRANSPORT CORPORATION KUMBAKONAM LIMITED,,
KARAIKUDI DIVISION,
REPRESENTED BY ITS MANAGING DIRECTOR,
POST BOX. NO. 46, RAILWAY STATION
NEW ROAD, KUMBAKONAM - 6
NAGAPATTINAM DISTRICT. ... 1st RESPONDENT/APPELLANT/1st RESPONDENT

2 TAMIL NADU TRANSPORT CORPORATION TIRUNELVELI LIMITED,
REPRESENTED BY ITS MANGAING DIRECTOR,
DOOR NO. 23/2, VANNARPETTAI, THOOTHUKUDI ROAD,
TIRUNELVELI -627 003,
TIRUNELVELI DISTRICT. ... 2nd RESPONDENT/6th RESPONDENT/2nd RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass necessary orders by allowing this petition and thereby permit the petitioners to withdraw the 50 percentage of the Tribunal award amount together with proportionate interest and costs which was deposited by the 1st Respondent in M.C.O.P. No. 60 of 2016 dated 13.11.2019 on the file of the Motor Accident Claims Tribunal/Sub Court, Aruppukkottai, Virudhunagar District.



Prayer in CMA(MD). 286/ 2022 :

To set aside the impugned award passed in MCOP.No.60 of 2016 dated 13-11-2019 on the file of the MACT(Sub Court), Aruppukottai.

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.A.KARTHIGAIVEL, Advocate for the petitioner and of Mr.P.M.VISHNUVARATHAN, Advocate on behalf of the 1st Respondent, the Court made the following order:-

This petition is filed to permit the petitioners / claimants to withdraw 50% of the award amount with proportionate interest and Costs, deposited by the 1st respondent / Transport Corporation in M.C.O.P.No.60 of 2016 on the file of the Motor Accidents Claims Tribunal / Sub Court, Aruppukkottai, Virudhunagar District.

2. The learned counsel appearing for the first respondent submits that he has no objection for allowing the petitioners to withdraw 50% of the award amount.

3. In the light of the above submission, I am of the view that the petitioners 1, 4 and 5 can be permitted to withdraw 50% of the award amount together with proportionate interest and costs as per the ratio of apportionment fixed by the Tribunal.

4. This petition is ordered accordingly.

sd/-

14/02/2023

/ TRUE COPY /

/02/2023

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

TO

THE SUBORDINATE JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

ORDER

IN

CMP(MD) No.1372 of 2023

Date :14/02/2023

SS/SBN/SAR I(21.02.2023) 2P 2C