

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Civil Appellate Jurisdiction**

**Thursday, the Twentieth day of April Two Thousand and Twenty Three
PRESENT**

The Hon`ble Mr.Justice R.VIJAYAKUMAR

WEB COPY

CMP(MD) . No.5881 of 2022

in

CMA(MD) No.170 of 2020

1. Gurusamy

2. Krishnammal ... Petitioners/ Respondents

Vs

The Tamilnadu State Transport Corportion
Through its the Managing Director
Madurai.

... Respondent/ Appellant

Prayer in CMP(MD) . No.5881 of 2022

Petition presented to this court to permit the petitioners to withdraw the entire award amount with accrued interest lying in the credit of C.M.A.(MD) No.170 of 2020 on the file of this Hon`ble Court.

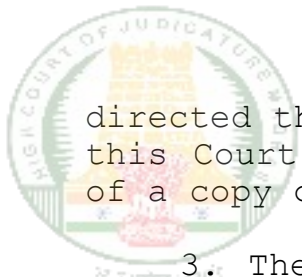
Prayer in CMA (MD)No.170 of 2020

This civil Miscellaneous Appeal is filed under section 173 of Motor Vehicles Act against the judgment and decree dated 27.02.2019 passed in MCOP No.3 of 2017 on the file of the Motor Accident Claims Tribunal (Subordinate), Sankarankovil.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.Suresh Manickam Advocate for Mr.R.J.Karthick Advocate for the Petitioner and of Mr.K.Sudalaiyandi Advocate for the Respondents, this Court made the following order:

The petitioners herein have filed M.C.O.P. No.3 of 2017 before the Motor Accident Claims Tribunal (Sub Court), Sankarankovil, seeking compensation for the death of their son arising out of an accident.

2. The Tribunal has passed an award of Rs.11,20,000/- (Rupees Eleven Lakhs and Twenty Thousand only). The said award was under challenge by the Transport Corporation, before this Court, in C.M.A (MD) No.170 of 2020. While passing the final order in the appeal on 19.03.2020, this Court, has reduced the quantum of the award to Rs.8,50,000/- (Rupees Eight Lakhs and Fifty Thousand only) and



directed the Transport Corporation to deposit the said amount in this Court within a period of four months from the date of receipt of a copy of the order.

3. The learned counsel appearing on either side admitted that the said order has been complied with.

4. The claimants have filed the present application in C.M.P (MD) No.5881 of 2022 seeking permission of this Court to withdraw the entire award amount with accrued interest. In the said application, they have contended that they require the said amount for meeting out the medical expenses.

5. Considering the age of the claimants, this Court is inclined to allow this application.

(*)6. Registry is directed to withdraw the amount from the Indian Bank, High Court Branch, Madurai and disburse the same to the claimants equally by way of demand draft.

7. With the said observation, this Civil Miscellaneous Petition stands allowed.

Sd/-

Assistant Registrar (CS II)

(*)Corrected as per the order of this Court dated 01/06/2023 made in CMP(MD) No.5881 of 2022 in CMA(MD) No.170 of 2020

Sd/-

Assistant Registrar (CS II)

// True Copy //

/05/2023

Sub Assistant Registrar(CS)

TO

(*)To be substituted to the order already despatched on 16/05/2023

1.The Subordinate Judge,
Motor Accident Claims Tribunal, Sankarankovil.

2.The the Managing Director,
Tamilnadu State Transport Corporation
Madurai.

Copy to :

1.The Deputy Registrar (Accounts)
Madurai Bench of Madras High Court, Madurai.



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CMP(MD).



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2.The Accounts Section
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 20/04/2023

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ORDER

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CMP (MD) . No.5881 of 2022
in
CMA (MD) No.170 of 2020

Giving direction and etc.
as stated within.

MGJ(11.05.2023) 3P 5C
RD(08/06/2023) 3P 5C