



CMP(MD) No.8963 of 2023

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

Friday, the Twenty Eighth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD) No.8963 of 2023

in

CMA(MD) No.398 of 2022

1 JAYAPRATHA
2 MINOR DEIVADHARSANA,
3 MINOR VASUDHARANI,

(MINOR 2ND AND 3RD PETITIONERS ARE
REPRESENTED BY THE NEXT FRIEND AND
NATURAL GUARDIAN / MOTHER 1ST PETITIONER
JEYEPRATHA)

... PETITIONERS/RESPONDENTS 1, 2 & 3

Vs

1 TAMILNADU STATE TRANSPORT CORPORATION (KUMBAKONAM) LTD,
REPRESENTED BY MANAGING DIRECTOR
NO. 27, RAILWAY STATION ROAD
KUMBAKONAM, PERIYAMILAGUPARAI,
TRICHY.

... 1ST RESPONDENT/ APPELLANT

2 KALYANI,

3 RAJU,

... RESPONDENTS 2 & 3/RESPONDENTS 4 & 5

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to withdraw the amount of Rs. 21,49,678 with accrued interest which deposited by the

<https://www.mhc.tn.gov.in/judis>



CMP(MD) No.8963 of 2023

1st respondent before the Motor Accident Claims Tribunal, Honourable Principal District Court, Karur in MCOP No. 723 of 2018.

Prayer in CMA(MD). 398/ 2022 :

To set aside the impugned award passed in MCOP No. 723 of 2018 dated 07.07.2020 on the file of the Motor Accident Claims Tribunal (District Court), Karur.

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.K.SUDALAIYANDI, Advocate for the petitioner and of MR.P.M.VISHNUVARTHANAN, Advocate on behalf of the 1st Respondent, the court made the following order:-

This petition has been filed to withdraw the amount of Rs.21,49,678/- with accrued interest deposited by the first respondent.

2. Heard the learned counsel for the petitioners and the learned counsel for the first respondent.

3. The learned counsel for the first respondent submitted that he has already deposited the entire award amount with accrued interest and costs and he has no objection to permit the first petitioner to withdraw the 50% of the award amount with accrued interest and costs.

4. I have perused the affidavit filed in support of this petition. Since the second and third petitioners are minors, their shares cannot be withdrawn at present. Hence the first petitioner is permitted to withdraw 50 % of her share of award amount as apportioned by the tribunal with accrued interest and costs, by filing appropriate petition before the Tribunal.



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5. Accordingly, this petition is allowed.

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sd/-
28/07/2023

/ TRUE COPY /

/08/2023

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

tta

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL /
DISTRICT JUDGE, KARUR.

+1 CC to M/s.K.SUDALAIYANDI, Advocate (SR-11452[I] dated 28/07/2023)

ORDER IN
CMP(MD) No.8963 of 2023
in
CMA(MD) No.398 of 2022
Date :28/07/2023

RS/VRS/SAR-4(11.08.2023) 3P 3C
Madurai Bench of Madras High Court is issuing
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