



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

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

PRESENT

The Hon`ble Mrs.Justice N.MALA

CMP(MD) No.11974 of 2022
in
CMA(MD)No. 726 of 2022

1 M.MUTHULAKSHMI

2 M.REGA,

3 S.KALPANA,

... PETITIONERS/RESPONDENTS

Vs

TAMILNADU STATE TRANSPORT CORPORATION
(KUMBAKONAM DIVISION - III) LIMITED,
REPRESENTED BY ITS
MANAGING DIRECTOR AND HAVING ITS HEAD OFFICE AT
MARUTHUPATHY,
MANAGIRI ROAD,KARAIKUDI,
SIVAGANGAI DISTRICT

....RESPONDENT/APPELLANT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of permission, permitting the petitioners to withdraw the 50 percentage of awarded amount with proportionate interest and cost deposited by the Respondent/Appellant corporation to the credit of MCOP. No. 2 of 2020 on the file of Motor Accident Claims Tribunal/Sub Court at Manamadurai.

Prayer in CMA(MD). 726/ 2022 :

Civil Miscellaneous Appeal Under Section 173 of Motor Vechile Act, to allow this appeal, set aside the award and decree made in MCOP.No.2 of 2020 dated 24-01-2022 on the file of the Motor Accident Claims Tribunal/Sub Court, Manamadurai.

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 P.PARANTHAMAN, Advocate for the petitioner and of MR.P.PRABHAKARAN, Advocate on behalf of the Respondent, the court made the following order:-



This petition is filed to permit the petitioners to 50% of the award amount with proportionate and Costs, deposited by the respondent / Transport Corporation to the credit of M.C.O.P.No. 2 of 2020 on the file of the Motor Accidents Claims Tribunal / Sub Court, Manamadurai.

WEB COPY

2. It is submitted that in pursuance of the order passed by this Court, dated 26.07.2022 in CMP(MD).No.6313 of 2022 in CMA(MD). No.726 of 2022, the respondent / Transport Corporation has deposited 50% of the awarded amount with proportionate interest and costs before the Tribunal.

3. The learned counsel appearing for the respondent / Transport Corporation submits that the appeal is filed disputing the liability only for a amount of Rs.4,13,600/- and hence, he has no objection for withdrawal of the entire 50% amount deposited before the Tribunal.

4. In the light of the said submission, the petition for withdrawal of the amount is permitted.

sd/-

07/02/2023

/ TRUE COPY /

/02/2023

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

TRP

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL MANA MADURAI.

COPY TO

THE SECTION OFFICER(Along with CMA(MD)No.729 of 2022)
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.PRANTHAMAN, Advocate (SR-2051[I] dated 09/02/2023)

ORDER
IN
CMP(MD) No.11974 of 2022
in
CMA(MD)No. 726 of 2022
Date :07/02/2023