



C.R.P. (MD) No. 185 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2024

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

C.R.P. (MD) No. 185 of 2022

The General Manager,
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Dindigul Region.

... Petitioner/
Respondent

-VS-

B.Dharmaraj

... Respondents/
Claimant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order made in E.A.No.1 of 2022 in E.P.No.62 of 2019 in MCOP No.27 of 2015 dated 12.01.2022 on the file of the Motor Accident Claims Tribunal, Subordinate Judge, Theni.

For Petitioners : Mr.K.Sudalaiyandi

For Respondent : No appearance



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ORDER

The Civil Revision Petition is filed challenging the order dated 12.01.2022 passed in E.A.No.1 of 2022 in E.P.No.62 of 2019 in MCOP No.27 of 2015.

2. In this case, already the petitioner/Corporation has deposited the award amount along with the interest excluding the TDS amount. The Trial Court has now directed to deposit the TDS amount with the condition that the said TDS amount will lie in the Court deposit. Aggrieved by the same, the present Civil Revision Petition is filed.

3. The learned Counsel for the petitioner would submit that when the matter is pending consideration by a Larger Bench, the Trial Court is not right in ordering the petitioner/Corporation to deposit the TDS amount.

4. I have considered the said submissions made on behalf of the learned Counsel for the petitioner and perused the material records of the case. Firstly, while referring the matter to the Larger Bench, specific direction has been given to deposit the TDS amount into Court and not permitting the concerned claimants to withdraw. Therefore, the petitioner/Corporation has to follow the



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same dictum in the present case also. Even otherwise, it is now stated by the learned Counsel for the petitioner that the earlier view was the TDS amount need not to be deposited, it is only the latter view that the TDS amount can be deducted. In view of that view of the matter, pending the reference, it is only the earlier judgment which has to be followed by this Court and therefore, even going by the argument of the learned Counsel for the petitioner, still the petitioner/Corporation has to deposit the entire amount including the TDS amount. Therefore this Civil Revision Petition is dismissed, however, granting time to the petitioner/Corporation to deposit the balance amount along with the interest due, if any, on or before 31.08.2024, failing which, the Trial Court shall proceed further. No costs.

12.07.2024

NCC : No

PKN

To

1. The Motor Accident Claims Tribunal, Subordinate Court, Theni.

2. The Section Officer,

Vernacular Records,

Madurai Bench of Madras High Court, Madurai.



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D.BHARATHA CHAKRAVARTHY, J.

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