



CMP(MD) No.2138 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Sixteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.2138 & 2140 of 2024

in

CMA(MD) No.1220 & 1221 of 2023

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION,
PERIYAMILAGUPARAI,
TRICHY.

... PETITIONER/ APPELLANT
IN BOTH CMP's

Vs

1 S.BARVEEN BANU,

2 MINOR S.SAFREEN BANU

3 MINOR S.SYED USMAN

(2ND & 3RD MINORS RESPONDENTS ARE
REPRESENTED BY THEIR MOTHER / NATURAL
GUARDIAN 1ST RESPONDENT)

4 BATHRUNNISHA

... RESPONDENTS/RESPONDENTS
IN CMP(MD).2138/2024

1 S.SABIYABEGAM

2 MINOR S.MOHAMED SABARULLA



CMP(MD) No.2138 of 2024

3 MINOR S.ABROJABEGAM

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(2ND & 3RD MINORS RESPONDENTS ARE REPRESENTED BY THEIR MOTHER / NATURAL GUARDIAN 1ST RESPONDENT)

4 MUMTAJ

... RESPONDENTS/RESPONDENTS
IN CMP(MD).2140/2024

Prayer in CMP(MD).2138/2024 in CMA(MD).1220/2023 :

To give direction to release the bus bearing registration No.TN 45 N 4322 which was attached in the EP No.3 of 2023 on the file of the Motor Accident Claim Tribunal/The Learned Special District Judge, Tiruchirappalli immediately till the disposal of the Main Civil Miscellaneous Appeal.

Prayer in CMA(MD). 1220/ 2023 :

To allow this appeal by set aside the common order dated 16.06.2022 made in M.C.O.P.No.713 of 2018 on the file of the Motor Accident Claim Tribunal / The Learned Special District Judge, Tiruchirappalli.

Prayer in CMP(MD). 2140/ 2024 in CMA(MD).1221/2023 :

To give direction to release the bus bearing registration No.TN 45 N 3897 which was attached in the EP No.2 of 2023 on the file of the Motor Accident Claim Tribunal/The Learned Special District Judge, Tiruchirappalli immediately till the disposal of the Main Civil Miscellaneous Appeal.

Prayer in CMA(MD). 1221/ 2023 :

To allow this appeal by set aside the common order dated 16.06.2022 made in M.C.O.P.No.916 of 2018 on the file of the Motor Accident Claim Tribunal / The Learned Special District Judge, Tiruchirappalli.

ORDER : These Civil Miscellaneous Petitions coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.K.RAMAIAH, Advocate for the petitioner in both CMP's and of MR.N.SUDHAGAR NAGARAJ, Advocate on behalf of the Respondent Nos.1 to 4 in both CMP's, the court made the following order:-



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These petitions have been filed to release the bus which were attached by the Execution Court in E.P.Nos.2 & 3 of 2023.

2. Though the Learned Counsel appearing for the claimants strongly opposed to release the bus, considering the fact that the Transport Corporation has deposited the admitted Liability, the Learned Special District Judge, Tiruchirappalli is directed to release the vehicle.

sd/-
16/02/2024

/ TRUE COPY /

19/02/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL /
SPECIAL DISTRICT JUDGE,
TIRUCHIRAPPALLI.

+2 CC to M/s.K.RAMAIAH, Advocate (SR-1977[I] & SR-1978[I] dated 16/02/2024)

+1 CC TO MR.N.SUDHAGAR NAGARAJ, Advocate (SR-2017[I] dated 19/02/2024)

ORDER IN
CMP(MD) No.2138 & 2140 of 2024
in
CMA(MD) No.1220 & 1221 of 2023
Date :16/02/2024

RS/ /SAR-(19.02.2024) 3P 5C
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