



C.M.P.(MD)No.15383 of 2024

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

Friday, the Twenty Fifth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

C.M.P.(MD)No.15383 of 2024

in

C.M.A.(MD) No.1121 of 2024

SANTHANAM

... PETITIONER/RESPONDENT

Vs

TAMIL NADU STATE TRANSPORT CORPORATION,
KUMBAKONAM.

... RESPONDENT/ APPELLANT

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioner to withdraw 50 percentage of in the award amount with entire accrued interest and also cost lying in the credit of M.C.O.P.No.62 of 2016 on the file of the Motor Accident claims Tribunal Cum III Additional Sub Court, Trichy and thus render justice.

Prayer in CMA(MD). 1121/ 2024 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act to set aside the decree and judgment passed in M.C.O.P.No.62 of 2016 dated 31-10-2023 on the file of MACT (III Additional Sub Court), Tirchirappalli and allow this civil miscellaneous appeal and thus render justice.

ORDER : This Civil Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the

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



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arguments of Mr.C.EZHILARASU, Advocate for the petitioner and of Mr.A.V.B.KRISHNAKANTH, Advocate on behalf of the Respondent, the court made the following order:-

This petition is filed to permit the petitioner to withdraw 50% of the award amount with accrued interest.

2. Heard the learned counsel for the petitioner/appellant and the respondent.

3. The challenge is to the quantum of compensation. The disability certificate shows that the petitioner suffered 45% disability. Even assuming that percentage method has to be adopted for computation of compensation, the petitioner would be entitled to at least Rs.3,00,000/-. Hence, the petitioner is permitted to withdraw Rs.3,00,000/- with accrued interest. This petition is allowed.

sd/-

25/10/2024

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/11/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

APD

TO

THE III ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TRICHY.

+1 CC to M/s.C.EZHILARASU, Advocate (SR-13207[I] dated 25/10/2024)



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ORDER
IN
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in
C.M.A.(MD) No.1121 of 2024
Date :25/10/2024

SA/JGB/SAR. /07.11.2024/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.