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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13-02-2025

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) NO. 15540 of 2024

IN

CMA(MD) NO. 873 of 2024

1.S. Vanitha

2.S.Sukasini(Minor)

3.S.Sriram(Minor)

4.N.Mohanambal

5.M.Nagaraj

... Petitioners/ Respondents

(Minor Petitioners 2 and 3 rep.by their mother 1st Petitioner)

Vs

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam Region,
New Railway Station Road,
Kumbakonam.

...Respondent / Applicant

For Petitioners : Mr.M.Karunanithi, Advocate



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ORDER

(Order of the Court was made by the Hon'ble G.Jayachandran J.)

The petitioners are claimants in M.C.O.P.No.189 of 2022. The Motor Accident Claims Tribunal (Special Principal Sub Court), Kumbakonam has allowed the claim and awarded compensation of Rs.40,64,963/- with costs and interest. Challenging the said award, dated 19.06.2023, the Transport Corporation has filed CMA(MD)No.873 of 2024. In the miscellaneous petition seeking stay of the award, this Court has directed the Transport Corporation to deposit 50% of the award amount to the credit of M.C.O.P.No.189 of 2022 on the file of the Motor Accident Claims Tribunal, Kumbakonam within a period of 8 weeks. The above said order of this Court was complied and memo filed by the Transport Corporation, dated 14.10.2024 indicate that sum of Rs.20,07,481/- deposited in the Indian Overseas Bank, on 01.10.2024.

2. The claimants are before this Court seeking permission to withdraw the said amount with accrued interest.



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3. The affidavit filed in support of the petition by the first petitioner, Vanitha the wife of the deceased, Sakthivel, indicates that the amount is required to meet out the medical expenses of the petitioners 4 and 5, who are mother and father of the deceased.

4. Considering the fact that there are two other claimants, who are the daughter and son (minor children) of the deceased, this Court partly allowed the petition permitting the first petitioner to withdraw Rs.10,00,000/- and petitioners 4 and 5 to withdraw Rs.1,50,000/- each and the balance amount with accrued interest to be reinvested in the name of the petitioners 2 and 3 jointly. The interest accrued shall be permitted to withdraw by the first petitioner to meet out the expenses for minor children and emergent expenses.

Sd/-
13/02/2025

/ TRUE COPY /

/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

THE SPECIAL PRINCIPAL SUB JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
KUMBAKONAM.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-1665[I] dated 14/02/2025)

ORDER IN
CMP(MD) NO. 15540 of 2024 IN
CMA(MD) NO. 873 of 2024
Date :13/02/2025

ES/GSV/SAR /27.02.2025/4P/3C

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