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C.M.P. No. 32690 of 2025
in C.M.A. No. 3881 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HONOURABLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

C.M.P.No.32690 of 2025

in

CMA No.3881 of 2025

The Managing Director,
TNSTC CBE Ltd., Tamil Nadu State Transport
Corporation Regional Office, Ooty.

Appellant

Vs.

1. K.N. Kalaivani
2. R. K. Srivin (Minor)

Respondents

PRAYER

To order stay all further proceedings in pursuance of the award passed in M.C.O.P.No.933 of 2022 dated 17.03.2025 made on the file of the Motor Accidents Claims Tribunal, Chief Judge, Court of small causes, Chennai, pending disposal of the above C.M.A.

For Appellant : Mr. M. Murali Vinodh

ORDER

This Civil Miscellaneous Petition is preferred to set aside the award in M.C.O.P.No.933 of 2022 dated 17.03.2025 made on the file of the Motor Accidents Claims Tribunal, Chief Judge, Court of Small Causes, Chennai.



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2. The learned counsel for the appellant submitted that the Tribunal erred in fixing negligence on the driver of the TNSTC bus when the FIR has been registered against the deceased and that there is no oral and documentary evidence on the part of the claimants to prove the age, occupation and income of the injured and that the income of the injured is on the higher side. Hence, prayed that the final award insofar as it fastens liability on the appellant be set aside and justice be rendered in C.M.A.

3. Considering the facts and circumstances of the case, this Court is inclined to grant interim stay in the above matter on a condition that the appellant shall deposit the 50% of the amount awarded by the Tribunal to the credit of M.C.O.P.No.933 of 2022 dated 17.03.2025 made on the file of the Motor Accidents Claims Tribunal, Chief Judge, Court of small causes, Chennai, within a period of four weeks from the date of receipt of a copy of this order, failing which, the order of stay granted by this Court shall stand vacated automatically without further reference to this Court. The claimants are permitted to withdraw the said amount.

4. Notice to the respondents returnable by 19.02.2026. Private notice is also permitted.

5. List on 19.02.2026.

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vsn



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K.GOVINDARAJAN THILAKAVADI J.
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