

C.M.P.No.17173 of 2016
in
C.M.A.No.1080 of 2015

M.JAICHANDREN, J.
AND
S.BASKARAN, J.

(Order of the Court was made by **S.BASKARAN, J.**)

The petitioners have come forward with this petition, seeking to withdraw the entire award amount deposited to the credit of MCOP No.482 of 2013, on the file of the Motor Accident Claims Tribunal (Special District Court), Krishnagiri.

2 The learned counsel appearing on behalf of the petitioners states that the deceased is the only breadwinner of the family and due to his death, the entire family is suffering. It has been further stated that the petitioners 1 and 2 need money for the medical expenses and for the marriage expenses of the third petitioner. The petitioners had filed a claim petition before the Motor Accident Claims Tribunal (Special District Judge), Krishnagiri. An Award, dated 23.12.2014, had been passed. The entire award amount had been deposited by the first respondent Insurance Company. Hence, the petitioners may be permitted to withdraw the entire award amount.

3 The learned counsel appearing on behalf of the first respondent Insurance Company had submitted that the first respondent has no objection for the petitioners to withdraw 50% of the amount already deposited by them.

4 In view of the reasons stated by the petitioners / claimants and in view of the submissions made by the learned counsels for the parties concerned, the petitioners are permitted to withdraw 50% of the amount deposited by the first respondent / Insurance Company, to the credit of MCOP No.482 of 2013, on the file of the Motor Accident Claims Tribunal (Special District Judge), Krishnagiri, with the proportionate interest accrued thereon, by filing a proper application, before the appropriate court, in accordance with the procedure prescribed. This petition is ordered accordingly.

(M.J.,J.) (S.B., J.)

01.12.2016

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