

C.M.P.No.18216 of 2016
in
C.M.A.No.1739 of 2016

M.JAICHANDREN, J.
and
P. VELMURUGAN, J.

The petitioner has come forward with this petition seeking permission to withdraw 50% of the award amount deposited to the credit of M.C.O.P.No.358 of 2013 on the file of the Motor Accident Claims Tribunal/Special Sub Court No.II, Salem, pending disposal of the above appeal.

2. The learned counsel appearing for the petitioner has stated that, after the accident, it is difficult for him to carry on his day to day life. Hence, the petitioner may be permitted to withdraw 50% of the award amount with the interest accrued thereon.

3. The said submission of the learned counsel for the petitioner had not been disputed by the learned counsel for the first respondent/Insurance Company. However, the learned counsel for the Insurance Company had submitted that, as the appeal had been filed disputing the quantum of compensation as the Tribunal had applied the incorrect multiplier for awarding the compensation, the petitioner may be allowed to withdraw a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only)

from the amount deposited by the first respondent/Insurance Company.

4. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner, as well as the learned counsel appearing for the first respondent/Insurance Company, we are of the view that it is just and proper to permit the petitioner to withdraw a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) from the amount deposited by the first respondent/Insurance Company, by filing a proper application, before the appropriate Court, in accordance with the procedure prescribed.

This

petition is ordered accordingly.

(M.J.J.) (P.V.J.)

30.11.2016

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P. VELMURUGAN, J.**

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Date :30.11.2016