

C.M.P.No.19202 of 2016
in
C.M.A.No.1672 of 2016

M.Jaichandren.J.,
and
T.MathivananJ.,

This petition has been filed, praying that this Court may be pleased to permit the petitioners to withdraw 75% of the award amount deposited by the first respondent/insurance company to the credit of M.C.O.P.No.20 of 2014, on the file of the Motor Accident Claims Tribunal (Sub-Court), Perundurai.

2. The learned counsel appearing on behalf of the petitioner had stated that the petitioner had sustained fracture and was treated as an inpatient. The petitioner had filed a claim petition before the Motor Accident Claims Tribunal (Sub-Court), Perundurai. An award, dated 07.09.2015, had been passed. The entire award amount had been deposited by the first respondent Insurance Company. The petitioner had stated that due to the injuries suffered by him in the accident, he could not do any work and he is unable to maintain himself and his family. Hence, the petitioner may be permitted to withdraw 75%% of the award amount, with the proportionate interest accrued thereon.

3.The learned counsel appearing on behalf of the first respondent Insurance Company had submitted that the first respondent has no objection for the petitioner to withdraw 50% of the award amount, with the proportionate interest accrued thereon.

4. Considering the facts and circumstances of the case and also the submissions made by the learned counsels for the parties concerned, we are of the view that it is just and proper to permit the petitioner to withdraw 50% of the award amount 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) (T.M.,J)

22.12.2016

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