



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Second day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CMP(MD) No.11698 of 2016
IN
CMA(MD) No.1286 of 2015

1 S.CHINNA REVATHI
2 MINOR S.SWETHA
D/O LATE SIVAMANI

3 MINOR S.PRASATH
S/O LATE SIVAMANI

4 DHANALAKSHMI
5 NALLA SIVAN
6 SUNDARI
7 SIVASAKTHI

(MINOR PETITIONERS 2 AND 3
ARE REPRESENTED BY THEIR
MOTHER AND NATURAL GUARDIAN
1ST RESPONDENTS S.CHINNA REVATHI)

... PETITIONERS/PETITIONERS/
APPELLANT

Vs

1 NATIONAL INSURANCE COMPANY LIMITED,
63, RASI PLAZA,
WEST MELAPRATHAKSHINAM ROAD,
KARUR.

... RESPONDENTS/APPELLANT

2 K.RAMESH

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased permit me to withdraw the entire admitted liability with accrued interest and cost deposited and lying to the credit in MCOP.No.472/2013 on the file of Motor Accidents Claim Tribunal, Principal District Court, Tiruchirappalli.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.C.DEEPAK, Advocate for the petitioner and of M/S.J.S.MURALI, Advocate for R1, the court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>

this petition has been filed to permit the petitioner to withdraw the entire admitted liability with accrued interest and



cost deposited and lying in the credit in M.C.O.P.No.472 of 2013, on the file of the Motor Accidents Claims Tribunal, Principal District Court, Tiruchirappalli.

2. Heard the learned counsel for the petitioner and perused the records available on record.

3. Considering the facts and circumstances of the case, this Court has already permitted the claimants to withdraw 50% of the awarded amount and that 50% of the awarded amount was withdrawn and deposited again in the name of minors and thereafter, the wife of the deceased was unable to receive any money to meet out her day to day expenses and to maintain the children. In view of the fact that the admitted liability of Rs.20,60,000/- was already deposited in the name of the minors in the Nationalised Bank, this Court is inclined to permit the first petitioner Chinna Revathi to withdraw Rs.2,00,000/- from the deposited award amount and Dhanalakshmi Rs.42,000/-, Nalla Sivan Rs.30,000/-, Sundari Rs.30,000/- and Sivasakthi Rs.30,000/-, totally Rs.3,32,000/-. The above said petitioners are permitted to withdraw their share as stated supra, with proportionate interest and cost through RTGS by filing necessary application before the Tribunal concerned.

Post after two weeks for final hearing.

sd/-
02/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL, PRINCIPAL DISTRICT COURT,
TIRUCHIRAPPALLI.

PJL
CSL/PV/SAR-III/16.12.2016: 2P/2C

ORDER
IN
CMP (MD) No.11698 of 2016
IN
CMA (MD) No.1286 of 2015
Date : 02/12/2016