

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Thirtieth day of June Two Thousand Seventeen

PRESENT

THE HON`BLE DR. JUSTICE S. VIMALA

CMP No.9610 of 2017

IN CMA.1450/2016

1 K.KOMARASAMY @ KUMARASAMY [PETITIONER]
S/O.KALIYAPPAN, UNIT NAGAR, 230 K.V.TOWER
HOUSE, KOLLAPPALUR PO. GOBI TK, ERODE DIST.

Vs

1 NATIONAL INSURANCE COMPANY LTD [RESPONDENTS]
REP BY ITS BRANCH MANAGER, 78,
THIRUVENKATASAMY CHETTY STREET, ERODE TOWN
AND DISTRICT.

2 K.M.KARUPPASAMY

3 S.PONNUSAMY

(SINCE PERMISSION SEEKING FROM THE
1ST RESPONDENT ALONE TO WITHDRAW,
HENCE NOTICE IS DISPENSED WITH IN
THIS C.M.P.FOR R-2 & 3.)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit me to withdraw the entire deposited amount along with entire accrued interest and cost lying in the credit M.C.O.P No 365/2009 on the file of the MACT/Additional District Judge, Fast Track Court- 2 (in CMP No.9610 of 2017)pending disposal of the above CMA No 1450/2016 and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MA.P.THANGAVEL, Advocate for the petitioner and of the court made the following order:-

This petition has been filed by the petitioner/Claimant, seeking permission to withdraw the entire deposited amount, along with the accrued interest and costs, lying in the credit of MCOP No.365 of 2009 on the filed of the MACT /Additional District Court, Fast Track Court No.II, Gobichettipalayam, pending disposal of the above CMA.

2. Heard the learned counsel appearing for the petitioner /Claimant and the learned counsel appearing for the first respondent/Insurance Company.

3. Having regard to the reasons stated in paragraphs 4 and 5 of the accompanying affidavit filed in support of this petition and being satisfied with the same, a consolidated amount of Rs.1,50,000/- (Rupees one lakh fifty thousand only) shall be withdrawn by the petitioner/ claimant, lying in the credit of MCOP No.365 of 2009 on the file of the MACT / Additional District Court, Fast Track Court No.II, Gobichettipalayam, pending disposal of the above CMA.

4. Notice to respondents 2 and 3 returnable by two weeks, in addition to private service.

5. List the main case (Appeal) after two weeks.

-sd/-

30/06/2017

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL DISTRICT JUDGE
FAST TRACK COURT -II, MOTOR ACCIDENTS CLAIMS TRIBUNAL
GOBICHETTIPALAYAM

2 THE SECTION OFFICER,
VR SECTION, HIGH COURT,
MADRAS.

C.C. to MA.P.THANGAVEL Advocate SR.No.8616

Order

in
CMP.9610/2017

in
CMA.1450/2016

Date :30/06/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (06/07/2017)