

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Nineteenth day of September Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE R.SUBBIAH

and

THE HON`BLE MR JUSTICE P.VELMURUGAN

CMP No.14107 of 2017

in CMA.No.2635 of 2016

1 NITA M. MEHTA

[PETITIONERS]

2 ARJUN MEHTA

Vs

1 ROYAL SUNDARAM ALLIANCE

[RESPONDENTS]

INSURANCE COMPANY LTD., SUNDARAM TOWERS,
NO.45 & 46 WHITES ROAD, ROYAPETTAH,
CHENNAI - 14.

2 G. PALANIAMMAL

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioners to withdraw the deposited entire amount of Rs.18,59,816/- in the credit of above MCOP No. 1626 of 2013 on the file of MACT (Special Sub Ordinate Court II) Chennai (in CMP.no.14107/2017)till the disposal of the above appeal CMA No.235/2016.

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.K.VARADHAKAMARAJ, Advocate for the petitioner and of M/S.N.VIJAYARAGHAVAN, Advocate for the 1st respondent the court made the following order:-

(Order of the Court was made by R.SUBBIAH, J.)

The petitioners/claimants have filed the present civil miscellaneous petition seeking to permit them to withdraw the deposited amount of Rs.18,59,816/- lying to the credit of M.C.O.P.No.1626 of 2013 on the file of the Motor Accident Claims Tribunal (Special Subordinate Court No.II), Chennai, pending disposal of the civil miscellaneous appeal.

2. Heard both sides.

3. It is represented by the learned counsel for the first respondent/Insurance Company that as per the interim order passed by this Court on 5.12.2016, the Insurance Company has already deposited 50% of the award amount with proportionate interest.

4. Considering the facts and circumstances of the case, the petitioners/claimants are permitted to withdraw the amount deposited before the Tribunal, which shall be shared in equal proportion between them. The civil miscellaneous petition is ordered accordingly.

Post the civil miscellaneous appeal in the regular course for final disposal.

-sd/-

19/09/2017

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE
NO.II, MOTOR ACCIDENTS CLAIMS TRIBUNAL,
CHENNAI.

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

C.C. to M/S.N.VEERA SAMY Advocate Sr.No.12211.

C.C. to M/S.N.VIJAYARAGHAVAN, Advocate on payment of necessary charges

Order

in
CMP.14107/2017

in
CMA.2635/2016

Date :19/09/2017

From 26.2.2001 the Registry is issuing certified
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KP(27.09.2017)