

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Civil Appellate Jurisdiction )

Tuesday, the Twelfth day of December Two Thousand Seventeen

PRESENT

THE HON`BLE DR.JUSTICE S.VIMALA

CMP No.15165 of 2017

IN CMA.614/2015

ANNADURAI

[ PETITIONER ]

Vs

1 UNITED INDIA INSURANCE COMPANY [ RESPONDENTS ]  
LIMITED NO.146N KUMAR COMPLEX, TIRUCHENGODE  
NAMAKKAL DISTRICT

2 SENGATHIR SELVAN  
S/O MARAPPAN PROP. M.S.RAJA ROADWAYS  
OLD NO.15, NEW NO. 21, PULIKUTHI STREET  
NO.1 GUGAI SALEM 636 006

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioner herein to withdraw the 50% of the deposited to the credit of MCOP No. 520 of 2011 on the file of Motor Accident Claims Tribunal Special SubCourt No.1, Salem pending CMA No.614/2015.

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.S.P.YUARAJ, Advocate for the petitioner and of MR.S.ARUNKUMAR, Advocate on behalf of the 1<sup>st</sup> Respondent, the court made the following order:-

This petition has been filed by the petitioner / appellant / claimant seeking permission to withdraw 50% of the deposited amount from the credit of M.C.O.P.No.520 of 2011 on the file of the Motor Accident Claims Tribunal, Special Sub Court No.1, Salem, pending disposal of the above Appeal.

2. Mr. S.Arunkumar, learned counsel, takes notice for R-1 / Insurance Company and stated No Objection for ordering this petition.

3. Heard the learned counsel appearing for the petitioner and R-1.

4. It is represented by the learned counsel for the petitioner / appellant that R-2 / owner of the vehicle remained exparte before the Tribunal. Hence, notice to R-2 is dispensed with, as per the request made.

5. Having regard to the reasons stated in the affidavit filed in support of the above petition and being satisfied with the same and in view of the No Objection stated by the learned counsel appearing for the R-1, the petitioner / appellant / claimant is permitted to withdraw 50% of the deposited amount to the credit of M.C.O.P.No.520 of 2011 on the file of the Motor Accident Claims Tribunal, Special Sub Court No.1, Salem, pending disposal of the above Appeal. This petition is ordered accordingly.

-sd/-  
12/12/2017

/ TRUE COPY /

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

TO

1 THE SPECIAL SUBORDINATE JUDGE  
NO.1, MOTOR ACCIDENT CLAIMS TRIBUNAL,  
SALEM

2 THE SECTION OFFICER  
V R SECTION, HIGH COURT, CHENNAI

C.C. to M/S. S.P. YUARAJ Advocate S.R.15793

Order  
in  
CMP.15165/2017

in  
CMA.614/2015

Date :12/12/2017

From 26.2.2001 the Registry is issuing certified  
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JK 15/12/17