

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Fifteenth day of September Two Thousand Seventeen

PRESENT

THE HON`BLE DR. JUSTICE S.VIMALA

CMP No.15401 of 2017

IN CMA.1961/2009

1 SARANYA
2 LAKSHMI

[PETITIONERS]

Vs

1 PAPPAYAMMAL
2 ASHOK KUMAR
3 THE NEW INDIA ASSURANCE
COMPANY LTD, EVN ROAD ,1360
AMMAN COMPLEX ERODE- 11.

[RESPONDENTS]

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 compensation amount awarded to them, deposited by the 3rd respondent before the trial court in the account of MCOP NO 991/2002 on the file of the MACT I Additional District Judge Court Erode in (CMP No.15401 of 2017 IN CMA.1961/2009)

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 V.S KESAVAN, Advocate for the petitioner and of M/S.R.NEETHI PERUMAL, for 3rd Respondent the court made the following order:-

This petition has been filed by the Petitioners seeking to permit the petitioners to withdraw the compensation amount awarded to them, which was deposited by the third respondent before the Tribunal, in the account of M.C.O.P.No.991 of 2002 on the file of the Motor Accident Claims Tribunal, I Additional District Court, Erode.

2. Heard the learned counsel for the petitioners.

3. It is submitted by the learned counsel appearing for the petitioners that, excepting the petitioners herein (Saranya and Lakshmi), all other claimants have been permitted to withdraw the amount deposited by the third respondent herein.

4. In view of the said submission and having regard to the reasons stated in the affidavit filed in support of this petition and having declared the first petitioner, Saranya, as major (vide separate order, even dated), the petitioners herein (Saranya and Lakshmi) are also permitted to withdraw their share of compensation, as per the ratio of apportionment made by the Claims Tribunal.

5. This CMP is ordered accordingly.

-sd/-

15/09/2017

/ TRUE COPY /

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

TO

1 THE 1ST ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
ERODE.

C.C. to M/S V.S KESAVAN Advocate SR.NO.12089

The Government Advocate, High Court, Madras - 104.

Order

in
CMP.15401/2017

in
CMA.1961/2009

Date :15/09/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
ADD 21.09.2017