

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Second day of November Two Thousand

Seventeen

PRESENT

THE HON`BLE DR. JUSTICE S.VIMALA

CMP NO.16434 OF 2017

IN CMA.2333 OF 2017

THIRU.R.PONNUSAMY

[PETITIONER]

Vs

1 THE MANAGER
THE ORIENTAL INSURANCE COMPANY LTD.,
2ND FLOOR, DR. BALASUNDARAM ROAD,
ATT COLONY, COIMBATORE.

[RESPONDENTS]

2 K.SANTOSH

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

Permit the petitioner to withdraw the awarded amount which was deposited in MCOP No 1325/2013 on the file of Motor Accident Claims, Tribunal, Chief Judicial Magistrate at Tiruppur (in CMP.No.16434/17 in CMA.2333/17)

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.MYILSAMY, Advocate for the petitioner and of MR.S.MANO HAR Advocate on behalf of the 1st respondent the court made the following order:-

This petition has been filed by the petitioner / appellant seeking permission to withdraw the entire amount with interest which was deposited by the second respondent to the credit of MCOP No.1325 of 2013.

2. Mr. S.Manohar, learned counsel, takes notice for R-1.

3. 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.

4. Heard the learned counsel appearing for the petitioner and the first respondent.

5. Having regard to the reasons stated in the affidavit filed in support of the above petition and being satisfied with the same, the petitioner / claimant is permitted to withdraw a sum of Rs.2,00,000/- (Rupees two lakhs only) towards the medical expenses of the petitioner / claimant, from the credit of MCOP No.1325 of 2013 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Tiruppur, pending disposal of the above Appeal. This petition is ordered accordingly.

-sd/-
22/11/2017
/ TRUE COPY /

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

TO

1 THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUPPUR.

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

3 THE TAMILNADU DSTATE LEGAL SERVICES AUTHORITY,
HIGH COURT, BUILDIGNS, CHENNAI-104.

C.C. to M/S.K.MYILSAMY Advocate SR.No.14843

C.C. To M/S.S.MANOKARAN Advocate SR.No.14834

The Government Advocate, High Court, Madras - 104.

Order

in
CMP.16434/2017

in
CMA.2333/2017

Date :22/11/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
SDR 27.11.2017