

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Twentieth day of November Two Thousand Seventeen

PRESENT

THE HON`BLE DR. JUSTICE S.VIMALA

CMP NO.19428 OF 2017

IN CMA.3147 OF 2017

MINOR GOBI [PETITIONER]
S/O. MANI, REP BY NEXT FRIEND/FATHER MANI,
8/126 SOUTH STREET,
PONNERI POST, NAMAKKAL
TK AND DISTRICT.

Vs

1 SEKAR [RESPONDENTS]
2 THE DIVISIONAL MANAGER
UNITED INDIA INSURANCE COMPANY LTD.,
NO.2 DR.SANKARAN ROAD, NAMAKKAL.

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 th entire award amount with interest which was deposited by the 2nd Respondent herein the credit of MCOP.No.837/2013 on the file fo the MACT cum Addl.Dist.Judge, Namakkal (in CMP.19428/17) pending disposal of the above CMA.3147/17.

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.C.KULANTHAIVEL, Advocate for the petitioner and of MR.T.RAVICHANDRAN Advocate for 2nd respondent and 1st respondent not appearing either in person or by an advocate 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.827 of 2013.

2. Mr. T.Ravichandran, learned counsel, takes notice for R-2.

3. It is represented by the learned counsel for the petitioner / appellant that R-1 / owner of the vehicle remained exparte before the Tribunal. Hence, notice to R-1 is dispensed with, as per the request made.

4. Heard the learned counsel appearing for the petitioner and the second 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 minor petitioner's father / guardian is permitted to withdraw a sum of Rs.5,00,000/- from the credit of MCOP No.827 of 2013 on the file of the Motor Accident Claims Tribunal cum Additional District Court, Namakkal, pending disposal of the above Appeal.

6. This petition is ordered accordingly.

-sd/-
20/11/2017
/ TRUE COPY /

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

TO

1 THE ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
NAMAKKAL.

2 THE SECTION OFFICER,
LOK ADALAT SECTION, HIGH COURT, MADRAS.

C.C. to M/S.C.KULANTHAIVEL Advocate SR.No.14751

The Government Advocate, High Court, Madras - 104.

Order
in
CMP.19428/2017
in CMA.3147/2017
Date :20/11/2017

From 26.2.2001 the Registry is issuing certified
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SDR 30.11.2017