



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Sixth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice K.K.SASIDHARAN
and
The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.10442 of 2016
IN
CMP(MD)NO.9203 OF 2016
IN
CMA(MD) No.1022 of 2016

CMP(MD) No.10442 of 2016 IN CMA(MD)NO.1022/2016 :

1 ANBUSELVI
2 MINOR PERARASI,
3 MINOR YOHAVARSINI
BOTH THE 2ND AND 3RD
PETITIONER REPRESENTED
BY THE NEXT FRIEND ANBUSELVI ... PETITIONERS 1TO3/
1-3 RESPONDENTS/1-3 RESPONDENTS

Vs

1 THE DIVISIONAL MANAGER
M/S.NATIONAL INSURANCE COMPANY LTD.,
NORTH VELI STREET, MADURAI. ...1ST RESPONDENT/SOLE APPELLANT
2 T.SELVI ...2ND RESPONDENT/4TH RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to withdraw the entire amount deposited which includes 50% of the award amount, accrued interest and cost and the interest accrued if any in the Indian Bank entire till date to the credit of C.M.A.1022/2016 in MCOP.No.796/2011 on the file of VI Additional District Court, Madurai, pending disposal of the above C.M.A.No.1022/2016.

CMP(MD) No.9203 of 2016 IN CMA(MD)NO.1022/2016 :

THE DIVISIONAL MANAGER
M/S.NATIONAL INSURANCE COMPANY LTD.,
NORTH VELI STREET, MADURAI. ...PETITIONER/APPELLANT

1 ANBUSELVI
2 MINOR PERARASI,
3 MINOR YOHAVARSINI
BOTH THE 2ND AND 3RD
PETITIONER REPRESENTED
BY THE NEXT FRIEND ANBUSELVI



4 T.SELVI

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant Interim Stay of all further proceedings pursuant to the Judgment and Decree dated 05.02.2016 made in MCOP No.796 of 2011 on the file of Motor Accident Claims Tribunal, VI Additional District Court, Madurai, pending disposal of the CMA(MD)No.1022 of 2016.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S. B.A.MURUGANANTHAM, Advocate for the petitioners in CMP(MD) No.10442 of 2016 IN CMA(MD)NO.1022/2016 and Respondents 1 to 3 in CMP(MD) No.9203 of 2016 IN CMA(MD)NO.1022/2016 and of MR.J.S.MURALI, Advocate for the 1st Respondent in CMP(MD) No.10442 of 2016 IN CMA(MD)NO.1022/2016 and petitioner in CMP(MD) No.9203 of 2016 IN CMA(MD)NO.1022/2016 the court made the following order:-

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

Even though there was a direction by this Court way back on 27.09.2016 directing the appellant to deposit 50% of the compensation amount along with interest and costs, the fact remains that the appellant has deposited only a sum of Rs.15,96,000/- which would not cover 50% of the amount awarded by the Tribunal with interest and costs. It is evident that the appellant failed to comply with the interim order passed by this Court.

2.We direct the appellant to deposit the entire amount awarded by the Tribunal with interest and cost within a period of four weeks from today.

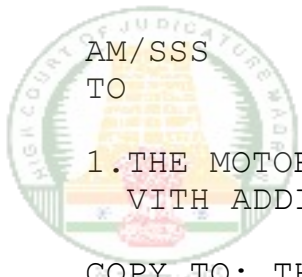
3.The first respondent is permitted to withdraw 50% of the amount so deposited, taking into account her proportionate share. The amount due to the respondents 2 & 3 and the remaining amount after disbursing the amount to the first respondent as indicated above, shall be deposited in an interest bearing deposit with the Indian Bank, High Court Branch, Madurai Bench of Madras High Court, initially for a period of one year with provision for further renewal every year. The amount shall be deposited by the appellant on or before 30th October, 2017, failing which, interim stay shall stand vacated, automatically.

4.C.M.P(MD)No.10442 of 2016 is disposed of as indicated above.

sd/-

06/09/2017

/ TRUE COPY /



AM/SSS
TO

1. THE MOTOR ACCIDENT CLAIMS TRIBUNAL
WITH ADDITIONAL DISTRICT JUDGE, MADURAI.

COPY TO: THE MANAGER, INDIAN BANK,
HIGH COURT BRANCH,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. C.C. to M/S. B.A.MURUGANANTHAM Advocate SR.No.30213
+1cc to MR.J.S.MURALI, Advocate in SR.No. 30298

GJM/CM/MSA/SAR-3-15.9.17-3P-5C

ORDER
IN
CMP (MD) No.10442 of 2016
IN CMP (MD) NO.9203/2016 IN
CMA (MD) No.1022 of 2016
Date :06/09/2017