



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

Tuesday, the Eighteenth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

CMP(MD) No.2567 of 2017

IN

CMA(MD) No.1154 of 2015

NAGARAJAN

... PETITIONER/1ST RESPONDENT/PETITIONER

Vs

1 THE NEW INDIA ASSURANCE CO.LTD
THROUGH ITS DEVISIONAL MANAGER,
JEROME BUILDING,
FORT STATION ROAD,
TRICHY.

... 1ST RESPONDENT/APPELLANT/
2ND RESPONDENT

2 PARVEEN TRAVELS P.LTD
NO.288, MARAMALAI ADIGAL SALAI,
MUTHAMIL NAGAR,
PUDUCHERY.

... 2ND RESPONDENT/2ND RESPONDENT/
1ST RESPONDENT

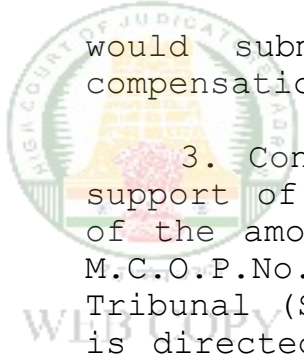
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass necessary orders by allowing this petition and thereby permit the petitioner to withdraw the 50 % of the Tribunal Award amount together with proportionate interest and costs which was deposited by the respondent herein M.C.O.P.No.4925 of 2013 on the file of the Motor Accident Claims Tribunal, Special Subordinate Judge, Trichirappalli.

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.N.SUDHAGAR NAGARAJ, Advocate for the petitioner and of M/S.P.MALINI, Advocate for R1, the court made the following order:-

The petitioner who has been favoured with an award for the injuries suffered by him in the motor accident, seeks permission to withdraw 50% of the award amount deposited by the Insurance Company to the credit of M.C.O.P.No.4295 of 2013, on the file of the Motor Accident Claims Tribunal (Special Subordinate Judge), Trichirappalli.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The learned counsel for the appellant/Insurance Company



would submit that they are challenging only the quantum of compensation.

3. Considering the reasons assigned in the affidavit filed in support of the petition, the petitioner is allowed to withdraw 50% of the amount deposited by the Insurance Company to the credit of M.C.O.P.No.4295 of 2013, on the file of the Motor Accident Claims Tribunal (Special Subordinate Judge), Trichirappalli. The Tribunal is directed to deposit the remaining award amount in Fixed Deposit with Indian Bank, Madurai Bench of Madras High Court Branch, Madurai, initially for a period of three years, renewable thereafter, till the disposal of the appeal.

sd/-

18/04/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, SPECIAL SUBORDINATE JUDGE,
TRICHIRAPPALLI.

COPY TO:

THE MANANGER, INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.N.SUDHAGAR NAGARAJ Advocate SR.No.20465

VSN

CSL/BS/SAR-III/20.04.2017 : 2P/4C

ORDER

IN

CMP(MD) No.2567 of 2017

IN

CMA(MD) No.1154 of 2015

Date :18/04/2017