



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

Tuesday, the Twenty Eighth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.KIRUBAKARAN

CMP(MD) No.653 of 2017
IN
CMA(MD) No.251 of 2011

MAHESWARI ... PETITIONER/1ST RESPONDENT

Vs

1 BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
BYE PASS ROAD, VANNARPETTI,
TIRUNELVELI-3.

2 MANAGING DIRECTOR
GANNON DUNERLEY COMPANY LTD.,
PLOT NO.18, SARANYANAGAR,
MAHARAJA NAGAR, TIRUNELVELI-11.

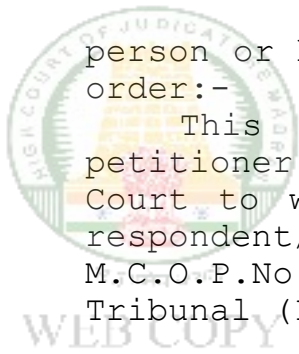
3 GANNON DUNERLEY COMPANY LTD.,
RAJENDRA NAGAR, SETHARAMAPETTAI,
VISAKAPATTINAM.

4 M/S.THE NEW INDIA ASSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
II FLOOR, MOGUL COURT,
ADAJACENT TO BAHATHAN ESTATE,
BACHEE BAGH, HYDERABAD-500 001.

5 RANJITHAM ... RESPONDENTS/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 50% of the entire award amount with accrued interest and cost deposited to the credit of M.C.O.P.No.435 of 2008 on the file of the Motor Accident Claims Tribunal, (I Additional District Judge), Tirunelveli, pending disposal of the above Civil Miscellaneous Petition and thus render justice.

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.S.MANI, Advocate for the petitioner and of M/S.J.S.MURALI, Advocate for R4 and the respondent not appeared in



person or by an Advocate for R1 to R3, the court made the following order:-

This civil miscellaneous petition has been filed by the petitioner / 1st respondent / claimant seeking permission of this Court to withdraw 50% of the award amount deposited by the first respondent/ appellant / Insurance Company, to the credit of M.C.O.P.No.435 of 2008, on the file of the Motor Accident Claims Tribunal (I-Additional District Judge), Tirunelveli.

2. Heard both sides.

3. Though the learned counsel for the first respondent / appellant / Insurance Company strenuously opposed the prayer sought for by the petitioner, this Court is convinced with the reasons stated in the accompanying affidavit and accordingly, the petitioner / 1st respondent / claimant is permitted to withdraw 50% from and out of the amount deposited by the first respondent / appellant / Insurance Company, to the credit of M.C.O.P.No.435 of 2008, on the file of the Motor Accident Claims Tribunal (I-Additional District Judge), Tirunelveli, along with accrued interest.

sd/-
28/02/2017

/ TRUE COPY /

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

TO

1 THE MOTOR ACCIDENT CLAIMS TRIBUNAL(I ADDITIONAL DISTRICT JUDGE),
TIRUNELVELI.

+1. C.C. to M/S.S.MANI Advocate SR.No.11550
+1. C.C. to M/S.J.S.MURALI, Advocate SR.No.11511

CSL/MR/SAR-III/03.03.2017 : 2P/4C

ORDER
IN
CMP(MD) No.653 of 2017
IN
CMA(MD) No.251 of 2011
Date :28/02/2017