



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

Thursday, the Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
and

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP(MD) No.8104 of 2017

IN

CMA(MD) No.498 of 2017

1 SELVARAJ
2 PADMAVATHY
3 ANANDH

... PETITIONERS/PETITIONERS

Vs

1 CHOLAMANDALAM M.S.GENERAL
INSUANCE CO.LTD.,
DARE HOUSE, 2ND FLOOR,
N.S.C.BOSE ROAD, CHENNAI.

...RESPONDENTS/PETITIONER

2 SANTHAKUMAR

...2nd RESPONDENT/4th RESPONDENT

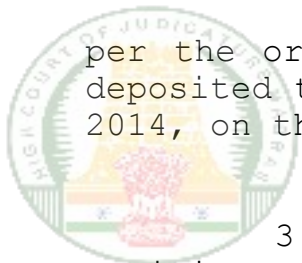
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Permit the petitioner to withdraw 50% of the decreetal amount with accrued interest in MCOP.No.157 of 2014 on the file of the Motor Accident Claims Tribunal, Trichy deposited by the 1st respodent / appellant.

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.P.NARAYANAKUMAR, Advocate for the petitioner and of MR.S.SRINIVASA RAGHAVAN, Advocate for the Respondent 1, the court made the following order:-

(Order of the Court was made by K.KALYANASUNDARAM,J.)

This application is filed by the petitioners seeking permission to withdraw the 50% of the decreetal amount with accrued interest.

2.Mr.S.Srinivasa Raghavan, learned counsel appearing for the respondent/Insurance Company would submit that the deceased was a bachelor at the time of accident, but the Tribunal has deducted 1/3rd and hence, there is no objection for the petitioners to withdraw a sum of Rs.10,00,000/- (Rupees Ten lakhs Only) with proportionate interest and costs. It is further submitted that as



per the orders of this Court, the respondent/Insurance Company has deposited the entire award amount to the credit of M.C.O.P.No.157 of 2014, on the file of the Motor Accident Claims Tribunal, Trichy.

3.In view of the above, this petition is ordered and the petitioners/claimants are permitted to withdraw a sum of Rs.10,00,000/- (Rupees Ten lakhs Only) with proportionate interest and costs and the Tribunal is directed to transfer a sum of Rs.10,00,000/- along with accrued interest and costs directly to the Personal Savings Bank Account Number of the petitioners-claimants, through RTGS/NEFT system, after getting their Account Details. Further, the Tribunal is directed to deposit the remaining amount in a Fixed Deposit with the Indian Bank Branch, Madurai Bench of Madras High Court, Madurai, initially for a period of three years, renewable thereafter, till the disposal of the appeal.

sd/-
05/10/2017

/ TRUE COPY /

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

TO

- 1 THE SPECIAL DISTRICT JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL, TRICHY
- 2 THE BANK MANAGER
INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. C.C. to M/S.K.P.NARAYANAKUMAR Advocate SR.No.32201

+1 cc to MR.S.SRINIVASA RAGHAVAN, Advocate SR.No.32234

ORDER
IN
CMP(MD) No.8104 of 2017
IN
CMA(MD) No.498 of 2017
Date :05/10/2017

SMA/RR-BS/SAR-3/11.10.2017:2P/5C