



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

Thursday, the Twenty Second day of March Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CMP(MD) Nos.11263 & 11265 of 2017

IN

CMA(MD) Nos.1107 & 1108 of 2017

CMP(MD) No.11263 of 2017 IN CMA(MD) No.1107 of 2017:

- 1 THE BRANCH MANAGER
UNITED INDIA INSURANCE CO, LTD.,
MICRO OFFICE, ROBIN COMPLEX 2ND FLOOR,
NAGERCOIL ROAD, THINGAL SANTHAI,
KANYAKUMARI DISTRICT. ...PETITIONER/3rd RESPONDENT
- 2 THE BRANCH MANAGER
UNITED INDIA INSURANCE CO, LTD.,
NO-3/33-B,PPK BUILDING MAIN ROAD,
MARTHANDAM, KANYAKUMARI DISTRICT. ... PETITIONER/4th RESPONDENT

Vs

- 1 SASIKALA ...1st RESPONDENT/PETITIONER
- 2 BRIGHT JOSE, ...2nd RESPONDENT/1st RESPONDENT
- 3 MURALI DHARAN, ...3rd RESPONDENT/2nd RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant stay of all further proceedings in pursuance of the Fair and Executable order in M.A.C.O.P.44 of 2014 dated 03.08.2017 on the file of the Motor Accident Claim Tribunal Kuzithurai pending disposal of the above appeal.

CMP(MD) No.11265 of 2017 IN CMA(MD) No.1108 of 2017:

- 1 THE BRANCH MANAGER,
UNITED INDIA INSURANCE CO.LTD.,
MICRO OFFICE, ROBIN COMPLEX 2ND FLOOR,
NAGERCOIL ROAD, THINGAL SANTHAI,
KANYAKUMARI DISTRICT. ...APPELLANT/3rd RESPONDENT



2 THE BRANCH MANAGER,
UNITED INDIA INSURANCE CO.LTD.,
NO.3/33-B, PPK BUILDING MAIN ROAD,
MARTHANDAM, KANYAKUMARI DISTRICT.

...APPELLANT/4th RESPONDENT

WEB COPY

Vs

1 SOBHANAM,

...1st RESPONDENT/PETITIONER

2 BRIGHT JOSE,

...2nd RESPONDENT/1st RESPONDENT

3 MURALI DHARAN,

...3rd RESPONDENT/2nd RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant stay of all further proceedings in pursuance of the Fair and Executable order in MACOP.No.35 of 2014 dated 03/08/2017 on the file of the Motor Accident Claim Tribunal Kuzhithurai pending disposal of the above appeal.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.A.SHAJAHAN, Advocate for the petitioner in both the petitions, and of MR.SIVAKUMAR, Advocate for R1 in both the petitions, and MR.B.CHRISTOPER, Advocate for R3 in both the petitions, the court made the following order:-

The learned counsel for the petitioner in both petitions is present and filed the proof of deposit of Rs.1,20,625/- and Rs.1,82,176/- respectively in respect of C.M.A.(MD)Nos.1107 and 1108 of 2017 before the tribunal by way of NEFT. Hence, conditional order passed by this Court is complied with and the interim order already granted in both petitions are made absolute.

2.These stay petitions are allowed.

3.The claimants in both cases are injured in the accident. Quantum of compensation is not disputed in these appeals. Hence, the claimants are permitted to withdraw the 50% of the deposit amount from the Tribunal on filing proper application and the balance amount shall be deposited in a Nationalised Bank for a period of three years.

sd/-
22/03/2018

/ TRUE COPY /



TO

THE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
KUZHITHURAI.

+2. C.C. to M/S.A.SHAJAHAN, Advocate SR.Nos.4656,4657
+2. C.C. to M/S.S.SIVAKUMAR, Advocate SR.Nos.4673, 4674

ORDER
IN
CMP (MD) No.11263 of 2017
IN
CMA (MD) No.1107 of 2017
Date :22/03/2018

PK/RR/SAR-1/06.04.2018 : 3P/6C