

ORDER:

This Petition coming on for hearing on this day, and upon perusing the grounds of Appeal, the award of the lower Court and the material papers filed in this Appeal and upon hearing the arguments of Mr.M.P.Senthil, Advocate for the Petitioner, Thiru.K.Bhaskaran Advocate for R1 and Thiru.M.Prakash, Advocate for R3, this Court made the following order:

WEB COPY

This petition has been filed to direct the first respondent/appellant, to withdraw the amount lying in the credit of C.M.A(MD)No.1074 of 2015 on the file of this Court and re-deposit the same to the credit of M.C.O.P.No.127 of 2009 on the file of the Motor Accidents Claims Tribunal-cum-IV Additional District Judge, Madurai, within a period of one week and to permit the petitioners / claimants to withdraw the deposited amount.

2. We have heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondents 1 and 3 and perused the materials placed before us.

3. It is seen that C.M.A(MD)No.1074 of 2015 was disposed of on 07.12.2016 and pending appeal it appears that there was a direction, directing the appellant/Insurance Company to deposit their share to the credit of M.C.O.P.No.127 of 2009 on the file of the Motor Accident Claims Tribunal-cum-IV Additional District Judge, Madurai, to the credit of C.M.A(MD)No.1074 of 2015 in the Indian Bank, High Court Branch, Madurai Bench of Madras High Court, Madurai.

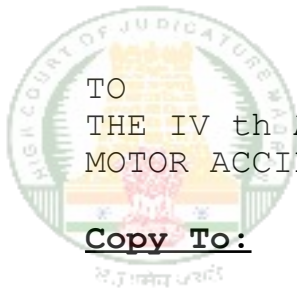
4. It is stated by the learned counsel for the petitioners that earlier, the petitioners were permitted to withdraw 50% of the deposited amount and accordingly, they withdrew the said amount. Now, the balance amount is lying in the bank deposit with interest. Therefore, the petitioners have come forward to file this petition.

5. Considering the submissions made by the learned counsel appearing for the petitioners, this petition is ordered and the first respondent / Insurance Company is directed to withdraw the remaining amount lying in the credit of C.M.A(MD)No.1074 of 2015 within a period of one week from the date of receipt of a copy of this order and re-deposit the same in M.C.O.P.No.127 of 2009, on the file of the Motor Accident Claims Tribunal-cum-IV Additional District Judge, Madurai, within a further period of one week from the date of withdrawal of the amount lying in the credit of C.M.A(MD)No.1074 of 2015 and on such deposit being made, the petitioners are permitted to withdraw the said amount.

Sd/-

Assistant Registrar(CS-II)

/True Copy/



TO
THE IVth ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, MADURAI.

Copy To:

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1. C.C. to M/S.M.P.SENTHIL Advocate SR.No.81998.

ORDER DATED:04.09.2018

ORDER

CMP (MD) No.6740 of 2018
IN
CMA (MD) No.1074 of 2015

Giving directions etc., as stated within.

DS RSK SAR1 19 12 2018 3P 5C