



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

Thursday, the Twenty Seventh day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs Justice PUSHPA SATHYANARAYANA
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.9218 of 2018

IN

CMA(MD) No.400 of 2018

KANAGAVALLI

... PETITIONER/1st RESPONDENT

Vs

1 M/S. ORIENTAL INSURANCE COMPANY LTD.,
THENI, OFFICE AT SRI VIJAY COMPLEX II FLOOR,
THENI-531.
THROUGH ITS BRANCH MANAGER ... RESPONDENT/APELLANT

2 K.SUMATHI
3 SRINIVASAKAPERUMAL NAICKER
4 KANNAMMAL,
5 UNITED INDIA INSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
SIVAKASI, P.B.NO.110, JAVAN BHAVAN,
OPP TO HEAD POST OFFICE, SIVAKASI ... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to please to permit the petitioner herein to withdraw the award amount deposited by the 1st respondent herein in M.C.O.P.No.996 of 2012 on the file of the Learned Motor Accident Claims Tribunal cum IV Additional District Judge, Tirunelveli.

Prayer in CMA(MD). 400/ 2018 :

To set aside the Award of Rs.18,61,936/- (Rupees Eighteen Lakhs Sixty one Thousand Nine Hundred and Thirty Six only) passed in MCOP.No.996/2012, dated 09/03/2018, on the file of the Motor Accidents Claims Tribunal cum IV Additional District Judge, Tirunelveli.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.ANANTH C.RAJESH, Advocate for the petitioner and of MR.K.BHASKARAN on behalf of the 1st Respondent, the court made the following order:-



(Order of the Court was made by PUSHPA SATHYANARAYANA, J)

It is stated that pursuant to the conditional order passed on 20.06.2018, the entire award amount with interest has been deposited by the first respondent/Insurance Company. Hence, the petitioner/1st claimant has taken out the above application seeking permission of this Court to withdraw the award amount deposited by the Insurance Company.

2. Being satisfied with the reasons stated in the accompanying affidavit, the petitioner/1st claimant is permitted to withdraw 50% of her share amount from and out of the amount deposited by the first respondent/Insurance Company, along with accrued interest. The Tribunal is directed to deposit the balance award amount in any one of the nationalised banks in a Fixed Deposit initially for a period of one year and renewable thereafter periodically till the disposal of the appeal.

sd/-
27/09/2018

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL
CUM IV ADDITIONAL DISTRICT JUDGE, TIRUNELVELI.

+1. C.C. to Mr. ANANTH C. RAJESH Advocate SR.No.18431
+1. C.C. to Mr. K. BHASKARAN Advocate SR.No.18612

ORDER
IN
CMP (MD) No.9218 of 2018
IN
CMA (MD) No.400 of 2018
Date : 27/09/2018

MSI/JC/SAR-IV/05.10.2018-2P/3C