

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Fourteenth day of October Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE K.K. SASIDHARAN

AND

THE HON`BLE MR JUSTICE ABDUL QUDDHOSE

CMP NO.17261 OF 2019

in CMA.NO.1717/2018

1 S.SYAMALA [PETITIONERS]

2 S.GAYATRI

3 S.MAHALAKSHMI

4 MINOR S.HARIHARAN

5 MINOR S.ABHIRAMAN

[MINORS REP BY THEIR MOTHER N/F - GUARDIAN
THE 1ST PETITIONER HEREIN)

6 S.SULOHANA

1 THE MANAGER [RESPONDENTS]

HDFC ERGO GENERAL INSURANCE COMPAY LTD,MOTOR
THIRD PARTY CLAIMS N.NO.579,OLD NO.528, 2ND
FLOOR, ANNA SALAI , TEYNAMPET, CH-002

2 M/S RAJARAJAN

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to withdraw the award amount along with interst and cost deposited by the 2nd respondent in CMA No.1717/2018 in O.P.No.258/2015, on the file of the Special District Court, Thiruvllur/Motor Accident Claims Tribunal, Thiruvallur. (CMP.17261/2019)

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.K.R.PONNUSAMY, FOR M/S.ANAND AND SURYAS, Advocate for the petitioner and of MR.K.VINOD, Advocate for the Respondents the court made the following order:-

This petition is filed to withdraw the award amount along with interest and cost deposited by the second respondent in CMA No.1717 of 2018 in M.C.O.P.No.258 of 2015 on the file of the Motor Accident Claims Tribunal (Special District Court), Thiruvallur.

2. We have heard the learned counsel for the petitioner and the learned counsel for the first respondent Insurance Company.

3. We permit the major petitioners in the claim petition to withdraw 50% amount deposited by the Insurance Company, proportionate to their share, pending disposal of the Civil Miscellaneous Appeal. The balance amount shall be deposited in an interest bearing fixed account with a Nationalised Bank.

4. The Civil Miscellaneous Petition is ordered accordingly.

-sd/-

14/10/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SPECIAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, THIRUVALLUR.

2 THE SECTION OFFICER,
VR SECTION, HIGH COURT, MADRAS 104.

C.C. to M/S ANAND AND SURYAS Advocate SR.NO. 12166

Order

in

CMP.17261/2019

in CMA.No.1717/2018

Date :14/10/2019

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RRI 31/10/2019