



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

Monday, the Eighth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CMP(MD) No.2401 of 2019

IN

CMA(MD) No.922 of 2017

THAVASIKANI

... PETITIONER/1st RESPONDENT

Vs

1.THE BRANCH MANAGER,

ICICI LOMBARD GENERAL INSURANCE COMPANY,
MADURAI.

...1ST RESPONDENT/APPELLANT

2 PACKIYARAJ

3 THE MANAGER

NATIONAL INSURANCE COMPANY LTD,
175-A, GREAT GARDEN ROAD,
THOOTHUKUDI-628 001

4 KASI,

... RESPONDENTS 2 TO 4/RESPONDENTS 2 TO 4

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to withdraw the 50% of the awarded amount with accrued interest deposited by the 1st respondent herein in MCOP No.129 of 2010 on the file Motor Accident Claims Tribunal/Sub Judge, Valliyur

Prayer in CMA(MD) . 922/ 2017 :

To set aside the judgment and decree dated 24/03/2016 in M.C.O.P.No. 129 of 2010 on the file of Honourable Motor Accident Claims Tribunal cum Honourable Sub Court, Vallioor and allow the above Civil Miscellaneous Appeal.

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.S.MUTHUALAIRAJA, Advocate for the petitioner and of MR.K.K.RAMAKRISHNAN, Advocate for R1 and MR.S.SRINIVASA RAGHAVAN, Advocate for R3 and MR.M.GURURAJ, Advocate for R4 and the second respondent not appeared either in person or by an advocate, the court made the following order:-



Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed.

The petitioner is permitted to withdraw the 50% of the awarded amount with accrued interest and cost deposited by the first respondent on MCOP.No.129/2010 in the file of the Motor Accident Claims Tribunal/learned Sub Judge, Valliyoor.

sd/-
08/04/2019

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL,
VALLIYUR.

1 CC to Mr.K.K. RAMAKRISHNAN, Advocate (SR-6401[I] dated 09/04/2019)

+1 CC to Mr.S. MUTHU MALAI RAJA, Advocate (SR-6344[I] dated 08/04/2019)

ORDER
IN
CMP(MD) No.2401 of 2019
IN
CMA(MD) No.922 of 2017
Date :08/04/2019

AE/VR/SAR-I/12.04.2019/2P/4C