



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

Wednesday, the Thirteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CMP(MD) Nos.11770 to 11772 of 2018

IN

CMA(MD) Nos.731 to 733 of 2018

MAHENDRAN ... PETITIONER/1st RESPONDENT/CLAIMANT
IN CMP(MD).NO.11770 OF 2018 IN
CMA(MD).NO.731 OF 2018

JOHN PETER ... PETITIONER/1st RESPONDENT/CLAIMANT
IN CMP(MD).NO.11771 OF 2018 IN
CMA(MD).NO.732 OF 2018

THANGAVEL ... PETITIONER/1st RESPONDENT/CLAIMANT
IN CMP(MD).NO.11772 OF 2018 IN
CMA(MD).NO.733 OF 2018

Vs

1.TATA AIG GENERAL INSURANCE COMPANY LTD,
NO.1, EARTHRAJ SALAI, EGMORE,
CHENNAI. ... 1ST RESPONDENT/APPELLANT/2ND RESPONDENT

2 ARJUNAN ...2ND RESPONDENT/2ND RESPONDENT/1ST RESPONDENT
IN ALL PETITIONS

PRAYER IN IN CMP(MD).NO.11770 OF 2018 IN CMA(MD).NO.731 OF 2018:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass necessary orders by allowing this petition and thereby permit the petitioner to withdraw the 50% of the Tribunal award amount together with proportionate interest and costs which was deposited by the 1st respondent in MCOP No.642 of 2012 on the file of the Motor Accident Claims Tribunal/I Additional District Court (PCR), Tiruchirappalli and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMA(MD). 731/ 2018 :

<https://hcservices.ecourts.gov.in/hcservices/>

Pleased to set aside the award and Decree dated 02.02.2018 made in M.C.O.P.No.642 of 2012 on the file of Motor Accidents Claims



Tribunal (I Additional District Court PCR), Tiruchirapalli and thus render justice.

Prayer in CMP(MD) . 11771/ 2018 in CMA(MD) . 732/ 2018 :

To pass necessary orders by allowing this petition and thereby permit the petitioner to withdraw the 50% of the Tribunal award amount together with proportionate interest and costs which was deposited by the 1st respondent in MCOP No.644 of 2012 on the file of the Motor Accident Claims Tribunal/ I Additional District Court (PCR), Tiruchirappalli and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMA(MD) . 732/ 2018 :

To set aside the award and Decree dated 02.02.2018 made in M.C.O.P.No.644 of 2012 on the file of Motor Accidents Claims Tribunal (I Additional District Court PCR), Tiruchirapalli and thus render justice.

Prayer in CMP(MD) . 11772/ 2018 in CMA(MD) . 733/ 2018 :

To pass necessary orders by allowing this petition and thereby permit the petitioner to withdraw the 50% of the Tribunal award amount together with proportionate interest and costs which was deposited by the 1st respondent in MCOP No.740 of 2012 on the file of the Motor Accident Claims Tribunal/I Additional District Court (PCR), Tiruchirappalli and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMA(MD) . 733/ 2018 :

Pleased to set aside the award and Decree dated 02.02.2018 made in M.C.O.P.No.740 of 2012 on the file of Motor Accidents Claims Tribunal (I Additional District Court PCR), Tiruchirapalli and thus render justice.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.N.SUDHAGAR NAGARAJ, Advocate for the petitioner in all petitions and of MR.R.VIJAY KARTHIKEYAN, Advocate for the respondents in all petitions, the court made the following order:-

These petitions have been filed seeking to permit the petitioners in all these petitions to withdraw 50% of the award amount together with proportionate interest and costs lying in the credit of M.C.O.P.No.642, 644 and 740 of 2012 on the file of the Motor Accident Claims Tribunal / I Additional District Court (PCR), Tiruchirappalli.

2. The learned counsel for the first respondent in all these petitions has no objection for withdrawing half of the award amount

by the petitioner, which is now lying in Court deposit.

3. Considering the nature of the case, the petitioners are permitted to withdraw half of the award amount from the Court deposit made in M.C.O.P.Nos.642, 644 and 740 of 2012 on the file of the Motor Accident Claims Tribunal / I Additional District Court (PCR), Tiruchirappalli.

4.The balance amount shall be deposited in a nationalized bank for three years, which shall be renewable thereafter till the disposal of these Civil Miscellaneous Appeals.

sd/-
13/02/2019

/ TRUE COPY /

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

TO

THE I ADDITIONAL DISTRICT JUDGE (PCR),
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUCHIRAPPALLI.

+1. C.C. to Mr.N.SUDHAGAR NAGARAJ Advocate SR.No.47018

ORDER
IN
CMP (MD) Nos.11770 to 11772 of 2018
IN
CMA (MD) Nos.731 to 733 of 2018
Date :13/02/2019

AE/JC/SAR-II/06.03.2019/3P/3C