



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

Tuesday, the Seventeenth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD) No.7336 of 2019

IN

CMA(MD) No.359 of 2019

1 SANTHI
2 MAHANDHIRAN,
3 CHIRTA
4 SEETHA,

... PETITIONERS/RESPONDENTS 1 TO 4

Vs

1 NEW INDIA ASSURANCE COMPANY LTD.,,
THROUGH ITS RAMNAD BRANCH MANAGER,
HIGH SPORTS BUILDING 1ST FLOOR,
OLD NO.147, NEW NO.186, SALAI ROAD,
RAMANATHAPURAM-623 501.

2 ANANTH

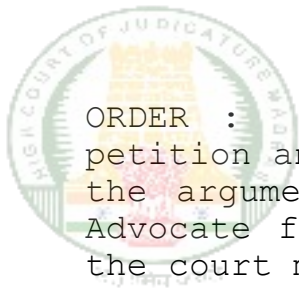
3 NAGARAJAN,

... RESPONDENTS 2 & 3/RESPONDENTS 5 & 6

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioners/respondents 1 to 4 to withdraw the amount deposited by the 1st respondent/Appellant in pursuance of the order dated 29.04.2019 passed by this Hon'ble Court in CMP(MD)NO.4494 of 2019 in CMA(MD)No.359 of 2019 filed as against the award dated 20.08.2018 passed in M.C.O.P.No. 30 of 2015 on the file of Learned Motor Accident Claims Tribunal Cum Sub Ordinate Judge, Devakottai and pass such further or other orders as this Hoble Court may deem fit and proper in the facts and circumstances of the above case and thus render justice.

PRAYER IN CMA(MD) .NO.359 OF 2019:

To set aside the judgment and decree in M.C.O.P.No.30 of 2015 dated 20.08.2018 on the file of the Motor Accidents Claims Tribunal, Subordinate Court, Devakottai and allow the appeal with costs and thus render justice.



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.AL.KANNAN, Advocate for M/S.VR.SHANMUGANATHAN, Advocate for the petitioner and of MR.J.S.MURALI, Advocate for R1, the court made the following order:-

1. This petition is filed to withdraw the award amount deposited in M.C.O.P.No.30 of 2015 before the Motor Accident Claims Tribunal cum Sub Ordinate Judge, Devakottai.

2. The learned counsel for the respondent / Insurance Company has no objection for withdrawing 50% of the award amount deposited before the Tribunal.

3. Accordingly, the petitioners are permitted to withdraw 50% of the award amount deposited before the Tribunal along with interest. This petition is ordered accordingly.

sd/-
17/09/2019

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, DEVAKOTTAI.

+1 CC to M/s.VR.SHANMUGANATHAN, Advocate (SR-15716[I] dated 18/09/2019)

ORDER
IN
CMP(MD) No.7336 of 2019
IN
CMA(MD) No.359 of 2019
Date :17/09/2019

nbg
AE/JC/SAR-I (25.09.2019) 2P 3C