



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

Tuesday, the Sixth day of August Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.RAVICHANDRABAABU
and
The Hon`ble Mr Justice SENTHILKUMAR RAMAMOORTHY

CMP(MD) No.7022 of 2019

IN

CMA(MD) No.68 of 2019

KALA

... PETITIONER/ RESPONDENT NO.1

Vs

1 THE MANAGER (LEGAL)
CHOLAMANDALAM GENERAL INSURANCE CO LTD.,
3,4 DINDIGUL HIGH ROAD,
NEAR SRI ENT HOSPITAL,
KALAVASAL, MADURAI.

... 1st RESPONDENT/ APPELLANT

2 RAJAVELU

...2nd RESPONDENT/ 2nd RESPONDENT

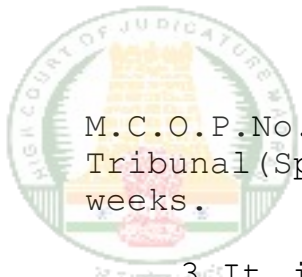
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioner to withdraw the 50% the deposited award amount with interest, deposited by the 1st respondent in MCOP No.1174 of 2017 before the motor Accident claim Tribunal (Special Sub court) Thanjavur.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.G.KARNAN, Advocate for the petitioner and of Mr.S.SRINIVASA RAGHAVAN, Advocate for R1, the court made the following order:-

(Order of the Court was made by **K.RAVICHANDRABAABU, J**)

This Miscellaneous Petition is filed seeking permission to withdraw 50% of the deposited award amount with interest.

2.The Petitioner is the sole claimant and mother of the deceased. While entertaining this Civil Miscellaneous Appeal, this Court by order, dated 7.2.2019, granted an order of interim stay on condition that the appellant shall deposit the entire award amount with proportionate accrued interest and costs to the credit of



M.C.O.P.No.1174 of 2017, on the file of the Motor Accident Claims Tribunal(Special Sub-Court), Thanjavur, within a period of six weeks.

3.It is now stated that the above said conditional order has been complied with. Since this Civil Miscellaneous Appeal is filed disputing the quantum, We are inclined to allow this Miscellaneous Petition seeking permission to withdraw 50% of the deposited award amount with interest.

4.Accordingly, this Miscellaneous Petition is allowed and the Petitioner/claimant is permitted to withdraw 50% of the deposited award amount with proportionate accrued interest, lying in the credit of M.C.O.P.No.1174 of 2017, on the file of the Motor Accident Claims Tribunal(Special Sub-Court), Thanjavur.

5.Registry is directed to post this Civil Miscellaneous Appeal before the next Lok Adalat, for the parties to reach an amicable settlement.

sd/-
06/08/2019

/ TRUE COPY /

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

TO
THE SPECIAL SUBORDINATE JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR.

COPY TO:

1 THE OFFICER INCHARGE, LOK ADALAT,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE MANAGER, INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.G.KARNAN Advocate SR.No.12939
+1CC TO Mr.S.SRINIVASA RAGHAVAN, Advocate, Sr No.13053

ORDER IN
CMP(MD) No.7022 of 2019
IN
CMA(MD) No.68 of 2019
Date :06/08/2019

MS/PN/SAR-1/14.08.2019/2P.6C

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