



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

Tuesday, the Twentieth day of August Two Thousand Nineteen

WEB COPY

PRESENT

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

CMP(MD) No.7449 of 2019

IN

CMA(MD) No.270 of 2018

BASKAR

... PETITIONER/1st RESPONDENT

Vs

1 RELIANCE GENERAL INSURANCE
COMPANY LTD, THROUGH ITS BRANCH MANAGER,
NO.19, RELIANCE CENTRE, WALCHAND HIRACHAND MARG,
BALLARD ESTATE, MUMBAI. ...1st RESPONDENT/APPELLANT.

2 AKSHAY LAW SHAW
NO.8, SWAWRNA MOYEE ROAD, WARD NO.9,
SHIBPUR SADAR, HOWRAH, WEST BENGAL.
... 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 50 Percentage of the entire award amount with accrued interest and cost deposited to the credit of MCOP.No.823 of 2014 on the file of the MACT, (Special Sub Court) Tirunelveli, pending disposal of the above CMP.

Prayer in CMA(MD)No.270 of 2018:

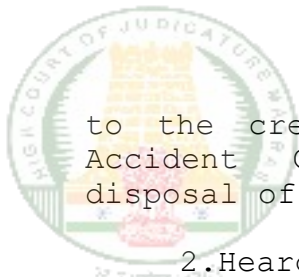
to set aside the fair and decreetal order dated 13.11.2017 made in MCOP No.823 of 2014 on the file of Motor Accident Claims Tribunal (Special Sub Court), Tirunelveli.

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.T.SELVAKUMARAN, Advocate for the petitioner and of Mr.S.Srinivasa Raghavan. Advocate, on behalf of the 1st Respondent 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 entire award amount with accrued interest and costs deposited

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



to the credit of M.C.O.P.No.823 of 2014, on the file of the Motor Accident Claims Tribunal(Special Sub-Court), Tirunelveli, pending disposal of the above appeal.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The contentions of the appellant/Insurance Company has to be considered and decided only in the main appeal. However, in the meantime, the Petitioner/first respondent is permitted to withdraw 50% of the amount deposited with proportionate accrued interest and costs.

4.Registry is directed to refer the matter to the next Lok Adalat, enabling the parties to settle the matter amicably between them.

sd/-

20/08/2019

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENTS CLAIMS TRIBUNAL
(SPECIAL SUBORDINATE COURT),
TIRUNELVELI.

COPY TO:
THE OFFICER IN-CHARGE,
LOK ADALAT,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to M/S.S.Srinivasa Raghavan Advocate SR.No.13765

ORDER
IN
CMP(MD) No.7449 of 2019
IN
CMA(MD) No.270 of 2018
Date :20/08/2019

AM/PN/SAR-1/30.08.2019/2P-4C