

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Eighth day of July Two Thousand Twenty

PRESENT

The Hon`ble MR JUSTICE R.SUBBIAH

and

The Hon`ble MR JUSTICE C. SARAVANAN

CMP No.7208 of 2020

in CMA.NO.101 of 2020

K.VEVAL SINGH

[PETITIONER]

Vs

1 KHALEEL KALIMELA

[RESPONDENTS]

2 THE NEW INDIA ASSURANCE CO LTD,
NO.19, OFFICER LINE, VELLORE.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the Motor Accident Claims Tribunal / the Special Sub Court, Tiruvannamalai, to disburse the remaining award amount available in the account of MCOP No.493 of 2018 to the petitioner (CMP.7208/2020) pending disposal of the above petition CMA.101/2020

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.S.PANNEER SELVAM, Advocate for the petitioner and M/S.R.SREEVIDHYA, advocate FOR R2 on behalf of the Respondents the court made the following order:-

(Order of the Court was made by R.SUBBIAH, J.)

This petition is filed seeking direction to the Motor Accident Claims Tribunal / the Special Sub Court, Tiruvannamalai, to disburse the remaining award amount available in the account of MCOP.No.493 of 2018 to the petitioner.

2. The petitioner filed a claim petition before the Motor Accident Claims Tribunal / the Special Sub Court, Tiruvannamalai claiming Rs.60,00,000/- as compensation for the injuries sustained by

him in the road accident caused by the vehicle insured with second respondent. The petitioner was awarded Rs.40,47,000/- as compensation with interest and also permitted to withdraw 50% of the award amount with interest, which was withdrawn by the claimant. Assailing the said award, the present appeal has been filed by the claimant.

3. In the meantime, the petitioner filed a petition before the Tribunal seeking permission to withdraw the remaining 50% award amount and the same was allowed. Since the records were sent to this Court by the Trial Court, the claimant is not able to withdraw the remaining compensation amount. Therefore, he has filed this petition to direct the Tribunal to disburse the amount.

4. Heard the submissions of the learned counsel for the parties.

5. This Court directs the Registry (High Court, Madras) to send back the records to the Motor Accident Claims Tribunal / the Special Sub Court, Tiruvannamalai to enable the claimant to withdraw the remaining amount lying in the Court deposit. The Tribunal, after completing the entire process, is directed to return the records to the Registry of this Court. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order along with records.

6. With the above direction, this petition is disposed of .

-sd/-

08/07/2020

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE NEW INDIA ASSURANCE
COMPANY LTD., NO.19, OFFICE LINE, VELLORE

2 THE SPECIAL SUBORDINATE JUDGE,
THE MOTOR ACCIDENTS CLAIMS TRIBUNAL,
TIRUVANNAMALAI

C.C. to M/S.S.PANNEER SELVAM Advocate on payment of necessary
charges

Order

in

CMP.7208/2020

in CMA.101/2020

Date :08/07/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
MJ 13/07/2020