

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Civil Appellate Jurisdiction )

Wednesday, the Sixteenth day of September Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE R.MAHADEVAN

CMP No.8945 of 2017

in CMA.NO.1672 of 2017

M/S.BHARTI AXA GENERAL INSURANCE [ PETITIONER ]  
CO., LTD., DIVYA TRADE CENTRE,  
IST FLOOR, NO.11, BRINDAVAN ROAD,  
FAIR LANDS, SALEM 636 004

Vs

KALIMUTHU CHETTIYAR(DIED) [ RESPONDENTS ]

1 LAKSHMI,  
2 SHANMUGAVALLI,  
3 MINOR KISHORE KUMAR  
4 MINOR TAMILARASAN

S/O LATE SURESH MINOR 3 AND 4 REP BY NEXT  
FRIEND AND GUARDIAN MOTHER SHANMUGAVALLI

5 K.HANEEF BASHA

6 M/S.KALAIVANI TRANSPORTS,  
NO.55, PE KOIL ST, AYYANAVARAM, CHENNAI 600 023

7 M/S.UNITED INDIA INSURANCE CO. LTD.,  
NO.104-A, RANGA BUILDING, PERAMANUR ROAD,  
SALEM 636 007

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an Interim stay of all further proceedings pursuant to the Judgment and Decree dated 07/10/2016 made in MCOP No.1093/2013 on the file of the MACT(Special District Judge), Salem(in CMP.No.8945/2017)pending disposal of the above CMA.No.1672/2017.

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.K.POOMALAI, Advocate for the petitioner and of MR.E.BALASUBRAMANI, Advocate for 1<sup>st</sup> respondent and of MR.C.RICHARD SURESH KUMAR, Advocate for the 2 to 4 respondents and of MR.K.SELVARAJ, Advocate for the 5 respondent and of MS.I.MALAR, Advocate for the 7 respondent the court made the following order:-

In this petition, by order dated 22.06.2017, this Court granted an order of interim stay on condition that the petitioner deposits the entire award amount within a period of four weeks from the date of the said order. While passing such order, it was specifically mentioned that "in the event of failure on the part of the petitioner to deposit the said amount within the stipulated period, the interim stay granted would stand automatically vacated without any further reference to this Court".

2.Today, when the matter was taken up for consideration, the learned counsel for the appellant / petitioner was unable to state whether the said compensation amount has been deposited by the appellant / petitioner or not.

3.In view of the above, this petition stands closed, by virtue of the specific clause in the order dated 22.06.2017 as stated in para 1 of this order.

-sd/-

16/09/2020

/ TRUE COPY /

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

TO

1 THE SPECIAL DISTRICT JUDGE,  
MOTOR ACCIDENTS CLAIMS TRIBUNAL SALEM

C.C. to MR.K.POOMALAI, Advocate on payment of necessary charges

C.C. to MR.E.BALASUBRAMANI Advocate on payment of necessary charges

C.C. to MR.C.RICHARD SURESH KUMAR, Advocate on payment of necessary charges

C.C. to MS.I.MALAR, Advocate on payment of necessary charges

Order

in

CMP No.8945 of 2017

in CMA.NO.1672 of 2017

Date :16/09/2020

From 26.2.2001 the Registry is issuing certified  
copies of the Interim Orders in this format