

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Civil Appellate Jurisdiction )

Monday, the Twenty Seventh day of July Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

CMP.NO.11476 OF 2017

AND 13884 OF 2018

IN CMA.NO.2169 OF 2017

UNITED INDIA INSURANCE CO.LTD., [ PETITIONER IN CMP.1476/2017 AND  
3, GIRIAM BUILDINGS MAIN ROAD, 1ST RESPONDENT IN CMP.13884/2018  
GOBICHETTIPALAYAM, ERODE DISTRICT. IN CMA.No.2169/2017 ]

Vs

1 JAYASEELA [ 1 TO 6 RESPONDENTS IN CMP.1476/2017  
AND 1 TO 3 PETITIONERS IN  
2 MINOR SIVAKUMAR CMP.13884/2018 IN CMA.No.2169/27 ]  
S/O.(LATE) VENKATE GOWDA,

3 MINOR VINOTHKUMAR  
S/O.VENKATE GOWDA  
(MINORS REP.BY THEIR NEXT FRIEND  
MOTHER JAYASEELA, THE FIRST RESPONDENT HEREIN) IN CMP.1476/2017

(2ND AND 3RD PETITIONERS REP.BY  
THEIR FIRST PETITIONER) IN CMP.13884/2018

4 D.KANDHASAMY [ 2 TO 4 RESPONDENTS IN CMP.13884/2018  
IN CMA.No.2169/2017 ]

5 M/S.SENTHIL RAM TRANSPORT  
REP BY ITS MANAGING PARTER,  
D.NO.18B, METTUPALAYAM ROAD,  
SATHYAMANGALAM (PO) & (TK)  
ERODE DISTRICT.

6 NATIONAL INSURANCE CO.LTD.,  
371/A, II FLOOR, PRESTIGE SHOPPING ARCAGE,  
RAMASAMY CIRCLE,  
MYSORE-570 024.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of the award passed in MCOP.No.392/2010 on 09/08/2016, on the file of the Motor Accidents Claims Tribunal ( Subordinate Judge) Court at Sathyamangalam , Erode Dist, (in CMP.No.11476/2017) pending disposal of the above CMA.No.2169/2017 and;

(ii) To direct the Respondent Appellant to deposit the Entire amount ie Rs 12,85,800/-with interest and permit us to withdraw 50% of the entire award amount with accrued interest in MCOP No. 392/10 on the file of The Special Subordinate Judge (MACT) Sathyamangalam (in CMP.13884/2018) in CMA.No.2169/2017 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.J.CHANDRAN, Advocate for the PETITIONER IN CMP.1476/2017 AND 1ST RESPONDENT IN CMP.13884/2018 IN CMA.No.2169/2017 and MR.K.MOORTHY Advocate for 1 TO 3 RESPONDENTS IN CMP.1476/2017 and 1<sup>st</sup> respondent in CMP.13884/2018 in CMA.No.2169/2017 the court made the following order:-

#### ORDER

It is submitted by the learned counsel for the petitioner / appellant that the conditional order passed in C.M.P.No.11476 of 2017 on 21.07.2017 has been complied with by the petitioner / appellant. Hence, the interim stay is made absolute and accordingly this petition is ordered.

2.In view of the above order passed in C.M.P.No.11476 of 2017, the petition in C.M.P.No.13884 of 2018 is closed.

3.Post the appeal on 17.08.2020.

-sd/-  
27/07/2020  
/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE  
MOTOR ACCIDENT CLAIMS TRIBUNAL,  
SATHYAMANGLAM ERODE DISTRICT.

C.C. to M/S. J. CHANDRAN Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

in

CMP.NO.11476 OF 2017

AND 13884 OF 2018

IN CMA.NO.2169 OF 2017

Date :27/07/2020

From 26.2.2001 the Registry is issuing certified  
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SDR 14/08/2020