

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Twenty Eighth day of September Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE R.MAHADEVAN

CMP Nos.1873 & 1874 OF 2017

IN CMA.Nos.264 & 265 OF 2017

DIVISIONAL MANAGER [PETITIONER IN BOTH THE PETITIONS]
NATIONAL INSURANCE COMPANY LIMITED,
I AND II FLOOR, 1754-56, GANESH COMPLEX,
MANOJEEPA STREET, THANJAVUR DIST

Vs

ANDAL [1ST RESPONDENTS IN CMP.NO.1873/2017
IN CMA.264 of 2017]

LOGANATHAN [1ST RESPONDENTS IN CMP.NO.1874/2017
IN CMA.265 of 2017]

2 SIVAKUMAR [2ND RESPONDENTS IN BOTH THE PETITIONS]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) grant an interim stay for all further proceedings of the judgment and Decree dated 26/04/2016 made in MACTOP.No.1108/2013 on the file of the Motor Accidents Claims Tribunal, Special Subordinate Court No.1, Salem [in CMP.No.1873/17 in CMA.No.264/17] and

(ii) grant an interim stay of all further proceedings of the Judgment and Decree dated 26/04/2016 made in MACTOP.No.1109/2013 on the file of the Motor Accidents Claims Tribunal, Special Subordinate Court No.1, Salem [in CMP.No.1874/17 in CMA.No.265/17] pending CMA.Nos.264 & 265 OF 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 N.B.SUREKHA, Advocate for the petitioner in both the petitions and 1st and 2nd Respondent not appearing either in person or by an Advocate, the court made the following order:-

This Court, by order dated 15.02.2017, granted an order of interim stay on condition to deposit the entire award amount, along with proportionate interest and costs by the appellant / insurance company, within a period of four weeks. While passing such an order, it was specifically mentioned therein that in the event of failure on the part of the appellant to deposit the said amount within the specified period, the interim stay granted would stand automatically vacated without any further reference to this Court.

2. Today, the learned counsel for the appellant was unable to state whether the aforesaid conditional order has been complied with by the appellant/insurance company or not.

3. In view of the above, these petitions stand closed, by virtue of the specific clause in the order dated 15.02.2017 as stated in the paragraph No.1 of this order.

-sd/-

28/09/2020

/ TRUE COPY /

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

TO

THE SPECIAL SUBORDINATE JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
SALEM.

C.C. to M/S N.B.SUREKHA, Advocate on payment of necessary charges

Order

in

CMP Nos.1873 & 1874 OF 2017

IN CMA.Nos.264 & 265 OF 2017

Date :28/09/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
RR 30/09/2020