



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

Friday, the Fourteenth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) Nos.1537 & 1539 of 2020

IN

CMA(MD) Nos.90 & 91 of 2020

M/S. NATIONAL INSURANCE COMPANY LIMITED,
REPRESENTED BY ITS MANAGER,
74-A, PARAMATHI ROAD,
NAMAKKAL DISTRICT.

... PETITIONER/APELLANT
IN BOTH PETITIONS

Vs

1 T. GOWRI

2 MINOR T. VIKASHINI

3 MINOR T. DEEKSHINI

4 K.PAPPAYEE

(MINOR 2ND AND 3RD RESPONDENTS ARE REPRESENTED
BY THEIR MOTHER AND NATURAL GUARDIAN, THE 1st
RESPONDENT T.GOWRI)

5 N. DIVYA

(R5 is not a necessary party for
adjudication: Notice dispensed with)

... RESPONDENTS/RESPONDENTS
IN CMP(MD)NO.1537 pf 2020
IN CMA(MD)NO.90 of 2020

SARAVANAN @ SARAVANAKUMAR (DIED)

1.P.PAPPATHI

2.P.PERIYASAMY

3.N.DIVYA

(R3 is not a necessary party for
adjudication: Notice dispensed with)

... RESPONDENTS/RESPONDENTS
IN CMP(MD)NO.1539 pf 2020
IN CMA(MD)NO.91 of 2020



PRAYER IN CMP(MD)NO.1537 of 2020 IN CMA(MD)NO.90 of 2020:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant interim stay of all further proceedings pursuant to the judgement and Decree dated 24.07.2019 made in M.C.O.P. No. 69 of 2019 on the file of the Motor Accidents Claims Tribunal, Additional Sessions Court, Karur pending disposal of the appeal.

PRAYER IN CMP(MD)NO.1539 of 2020 IN CMA(MD)NO.91 of 2020:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant interim stay of all further proceedings pursuant to the judgement and Decree dated 24.07.2019 made in M.C.O.P. No. 70 of 2019 on the file of the Motor Accidents Claims Tribunal, Additional Sessions Court, Karur pending disposal of the appeal.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr. J.S. MURALI, Advocate for the petitioner in both petitions, while admitting the Civil Miscellaneous Appeals the court made the following order:-

On the side of the petitioners, it is stated that the appeal is disputing quantum. The respondent/Insurance Company has admitted the liability to the tune of Rs.14,80,500/- in CMA(MD)No.90 of 2020 and has admitted the liability to the tune of Rs.18,39,541/- in CMA(MD) No.91 of 2020.

2. There shall be an order of interim stay on condition that the appellant/Insurance Company shall deposit the admitted amount along with accrued interest and costs to the credit of M.C.O.P.No.70 of 2019, on the file of the Motor Accident Claims Tribunal, Additional Sessions Court, Karur, within a period of four weeks from the date of receipt of a copy of this order, failing which, interim stay granted shall stand automatically vacated, without any reference to this Court.

3. Notice.

sd/-
14/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

THE ADDITIONAL SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, KARUR.

+2 CC to M/s.J.S.MURALI, Advocate (SR-3113, 3114[I] dated
14/02/2020)

ORDER

IN

CMP (MD) Nos.1537 & 1539 of 2020

IN

CMA (MD) Nos.90 & 91 of 2020

Date :14/02/2020

dss

AE/JC/SAR-I (19.02.2020) 3P 4C