



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

Monday, the Seventeenth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.1600 of 2020

IN

CMA(MD) No.95 of 2020

THE BRANCH MANAGER
TATA AIG INSURANCE COMPANY LTD.,
MADURAI.

... PETITIONER/APELLANT

Vs

1 M.PAPPA
2 S.MURUGAN
3 VICTOR JEYASINGH
4 CHARLES
5 MOKKARASU

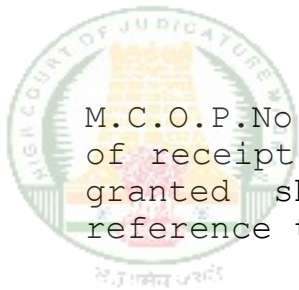
... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to STAY of all further proceedings pursuant to the Judgement and decree passed in M.C.O.P.No. 104 of 2017 dated 30.08.2019 on the file of the Motor Accident Claims Tribunal, Additional District and Sessions Court, Theni at Periyakulam till the disposal of the appeal.

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.J.MURALI, Advocate for the petitioner and of M/s.J.LAWRANCE, Advocate for the second respondent, the court made the following order:-

It is stated that the claimant's policy is a fake one and the Tribunal is fixing the liability, is to prove the genuineness, the appellant to deposit the 50 % of the award amount, but, the respondents / claimants should not be permitted to withdraw the same, till the disposal of the Civil Miscellaneous Appeal.

2. Hence, there shall be an order of interim stay on condition that the appellant /TATA AIG Insurance Company Ltd., shall deposit 50% of the award amount with proportionate interest and costs to the credit of Motor Accident Claims Tribunal / Additional District and Sessions Judge, Theni at Periyakulam, to the credit of



M.C.O.P.No.104 of 2017, within a period of four weeks from the date of receipt of a copy of this order, failing which, the interim stay granted shall stand automatically vacated without any further reference to this Court.

3. The claimants are not permitted to withdraw the amount till the disposal of the Civil Miscellaneous Appeal.

sd/-
17/02/2020

/ TRUE COPY /

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

TO

THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, PERIYAKULAM,
THENI.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-3255[I] dated 17/02/2020)
+1 CC to M/s.J.S.MURALI, Advocate (SR-3329[I] dated 18/02/2020)

ORDER
IN
CMP(MD) No.1600 of 2020
IN
CMA(MD) No.95 of 2020
Date :17/02/2020

Ls
AE/PN/SAR-IV (24.02.2020) 2P 4C