



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

Friday, the Twentieth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and
The Hon`ble Mr.Justice C.SARAVANAN

CMP (MD) No.2828 of 2020
IN
CMA (MD) No.86 of 2020

1 ANITHA

2 MINOR.ABISHA

3 MINOR.ATHIRA,
(PETITIONERS 2 AND 3 ARE MINORS REPRESENTED
BY NATURAL GUARDIAN AND MOTHER 1ST PETITIONER)

4 KANAKAM ... PETITIONERS / RESPONDENTS 1 to 4

Vs

1 THE NEW INDIA ASSURANCE COMPANY LIMITED
REPRESENTED BY ITS BRANCH MANAGER,
CHANDRASEKHARAN NAIR STADIUM COMPLEX,
PALAYAM, THIRUVANNANTHAPURAM,
KERALA STATE. ... Respondent / Appellant

2 ROHYTT JOHN,
S/O.THANAKAPPAN, GRACE, TC 8/679(1),
PUTHANKADA, THIRUMALA POST AND VILLAGE-695 006,
THIRUVANANTHAPURAM DISTRICT, KERALA STATE.

3 CHRISTHU PHILOMINA C.J
S/O.DASAN NADAR, NO.9/91, (22/91A), KRIPA BHAVAN,
PANTHAPLAVU, KARAKULAM PANCHAYAT AND VILLAGE,
THIRUVANANTHAPURAM DISTRICT-695 028, KERALA STATE.

4 JOHN K.KENEDY,
S/O.KURUZ, 10/30, IMMACULATE, ERUTHAVOOR
NORTH, MARUTHAMCODE POST AND VILLAGE,
VILAVANCODE TALUK, KANAYAKUMAR DISTRICT.



5 VIJU
SANTHAPPAN, 21/21, KOUDIVILAI VEEDU,
KARUMATHOR DESOM, KUZHITHURAI POST-629 163,
VILAVANCODE TALUK, KANYAKUMARI DISTRICT.

6 UNITED INDIA INSURANCE CO.LTD
REP BY, BRANCH MANAGER, P.P.K BUILDINGS,
MAIN ROAD, MARTHANDAM AND POST, NALLOR VILLAGE,
VILAVANCODE TALUK, KANUAKUMARI DISTRICT.

... RESPONDENTS / RESPONDENTS 5 to 9

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to withdraw the entire deposited amount in MCOP No.51 of 2017 on the file of Motor Accidents Claims Tribuna, (Sub Judge), Kuzhithurai account by the appellant or other order or orders as this Honourable Court.

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.S.SIVAKUMAR, Advocate for the petitioner and of MR.D.MALAICHAMY, Advocate or R1 the court made the following order:-

ORDER

[Order of the Court made by **S.S.SUNDAR, J.**]

This petition is filed to permit the petitioners to withdraw the entire amount deposited by the appellant / first respondent before the Motor Accidents Claims Tribunal / (Subordinate Judge), Kuzhithurai in M.C.O.P.No.51 of 2017.

2.It is submitted that the petitioners 2 and 3 are minor and that there is no apportionment in the Award. Hence, the petitioners 1 and 4 are permitted to withdraw 25% of the amount towards their share. Accordingly, this petition is allowed to that extent.

sd/-
20/03/2020

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



TO

The Subordinate Judge (Motor Accidents Claims Tribunal),
Kuzhithurai.

+1 CC to M/s.S.SIVAKUMAR, Advocate (SR-5567[I] dated 20/03/2020)

ORDER

IN

CMP (MD) No.2828 of 2020

IN

CMA (MD) No.86 of 2020

Date :20/03/2020

CMR

SDS (05.05.2020) 3P-3C