

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

Friday, the Nineteenth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CMA(MD) No.460 of 2019

and

CMP(MD) .NO.5508 of 2019

THE BRANCH MANAGER,
NATIONAL INSURANCE CO.LTD.,
1ST FLOOR, 7/1, WEST CAR STREET,
SIVAKASI-626 123. APPELLANT/RESPONDENT-2

Vs

- 1 MUNEESWARI,
- 2 MINOR.PANDEESWARI,
(2nd Respondent Rep.by mother and next friend
1st respondent Muneeswari)
(Petition is amended as per order in IA.No.87
of 2013 dated 09.01.2013). Respondents/Petitioners
- 3 P.S.RAVIKUMAR,
- 4 CHINNAMMAL, RESPONDENTS/RESPONDENTS 1&3
- 5 AZHAGAR, RESPONDENT/RESPONDENT-4

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the fair and decreetal order dated 10.04.2017 made in MCOP No.61 of 2012 on the file of Motor Accident Claims Tribunal(Sub Court),Sivakasi and allow this appeal.

Prayer in CMP(MD) . 5508/ 2019 :

To STAY the operation of the fair and decreetal order dated 10.04.2017 made in M.C.O.P.No.61 of 2012 on the file of the Motor Accident Claims Tribunal (Sub Court), Sivakasi pending disposal of the above Civil Miscellaneous 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 Mr.S.SRINIVASA RAGHAVAN, Advocate for the petitioner, the court made the following order:-

Notice to the respondents returnable by 13.09.2019.

2. There shall be an order of interim stay on condition that the appellant shall deposit the entire award amount together with proportionate interest and costs to the credit of MCOP No.61 of 2012 on the file of the Motor Accident Claims Tribunal (Sub Court), Sivakasi, within a period of eight weeks from the date of receipt of a copy of this order, failing which the interim order granted shall stand vacated automatically without any further reference to this Court.

sd/-
19/07/2019

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

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, SIVAKASI.

ORDER
IN
CMA(MD) No.460 of 2019
and
CMP(MD).NO.5508 of 2019
Date :19/07/2019

cp
AE/VR/SAR-I (24.07.2019) 2P 2C

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