



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

Thursday, the Twenty Third day of July Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.9808 of 2019

IN

CMA(MD) No.769 of 2015

1 VALARMATHI

2 PAVITHRA

... PETITIONERS/RESPONDENT 1 & 2

Vs

1 THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE COMPANY LTD.,
THERKKU VEETHI, THANJAVUR.

... 1st RESPONDENT/APPELLANT

2 RAJALAKSHMI

... 2nd RESPONDENT/3rd RESPONDENT

(R-2 HEREIN SET EXPARTE BEFORE TRIBUNAL.
HENCE NOTICE MAY BE GIVEN UP AGAINST R-2)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioner to withdraw 50 percentage of the award amount with accrued interest and cost, which was deposited by the 1st Respondent/Appellant into the Credit of MCOP.No.763 of 2013 on the file of the Motor Accident Claims Tribunal (Special Subordinate Judge's Court), Thanjavur, pending disposal of CMA(MD)No.769 of 2015.

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.G.KARNAN, Advocate for the petitioners, the court made the following order:-

This petition is filed to permit the petitioners to withdraw 50% of the award amount with accrued interest and cost, which was deposited by the first respondent to the credit of M.C.O.P.No.763 of 2013 on the file of the Motor Accidents Claims Tribunal (Special Subordinate Judge), Thanjavur.

2.The petitioners are claimants and they have also filed a cross objection for enhancement of compensation in the appeal filed by the first respondent/appellant challenging the award. The first petitioner is the wife of the victim and the second petitioner is

<https://hdsrescourts.gov.in/hcserv> victim.



3. Though the Insurance Company has filed an appeal challenging the quantum, this Court, after going through the records, is convinced that the petitioners may be permitted to withdraw 50% of award deposited by the Insurance Company.

4. Accordingly, this petition is allowed and the petitioners are permitted to withdraw 50% of the award amount deposited by the Insurance Company. The Court below is directed to transfer the balance amount to the credit of C.M.A.(MD)No.769 of 2015 before the Indian Bank, Madurai Branch of Madras High Court, Madurai, which amount shall be deposited by the Indian Bank in an interest bearing account, till the disposal of the appeal.

sd/-
23/07/2020

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

TO

THE SPECIAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, THANJAVUR.

COPY TO:

THE BRANCH MANAGER,
INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT BRANCH,
MADURAI.

ORDER
IN
CMP (MD) No.9808 of 2019
IN
CMA (MD) No.769 of 2015
Date :23/07/2020

CMR
JM/PN/SAR 3/27.07.2020/2P/3C