



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

Tuesday, the Twenty Fifth day of February Two Thousand Twenty

PRESENT

The Hon'ble Mr.Justice M.DURAISWAMY
and
The Hon'ble Mr.Justice T.RAVINDRAN

CMP(MD) No.10534 of 2019
IN
CMA(MD) No.269 of 2019

1 PERIYANNAN
2 VENKATESHAWARAN
3 THAVAMANI

... PETITIONERS/RESPONDENTS 1 TO 3

Vs

1 THE DIVISIONAL MANAGER,
NATIONAL INSURANCE COMPANY LTD.,
NO.3, NORTH VELI STREET,
MADURAI.

... 1st RESPONDENT/APPELLANT

2 SRIKANTH

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the Petitioners to withdraw the amount deposited by the 1st Respondent in the credit of MCOP No.2 of 2016, on the file of the MACT/Additional District Court (FTC), Paramakudi, with accrued interest, pending disposal of CMA(MD)No.269 of 2019 and thus render justice.

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.YOGESKANNADASAN, Advocate for the petitioners and of Mr.J.S.MURALI, Advocate for first respondent, the court made the following order:-

(Order of the Court was made by M.DURAISWAMY, J)

Pursuant to the order dated 09.04.2019, the appellant / Insurance Company had deposited a sum of Rs.12,00,000/- (Rupees Twelve Lakhs Only) with proportionate interest and costs to the credit of M.C.O.P.No.2 of 2016 on the file of the Motor Accident Claims Tribunal / Additional District Court (Fast Track Court), Paramakudi.

<https://hcservices.ecourts.gov.in/hcservices/>



2.Now, the petitioners / claimants have filed the above petition seeking permission to withdraw the said amount.

3.The appellant / Insurance Company had admitted their liability in respect of a sum of Rs.12,00,000/- together with accrued interest and costs out of the amount awarded by the Tribunal. Hence, this Court had directed the appellant / Insurance Company to deposit the admitted liability of Rs.12,00,000/-.

4.In these circumstances, we permit the petitioners / claimants to withdraw the said sum of Rs.12,00,000/- as apportioned by the Tribunal lying to the credit of M.C.O.P.No.2 of 2016 on the file of the Motor Accident Claims Tribunal / Additional District Court (Fast Track Court), Paramakudi.

5.With these observations, the petition is disposed of.

sd/-
25/02/2020

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

TO

THE ADDITIONAL DISTRICT JUDGE (FTC),
MOTOR ACCIDENT CLAIMS TRIBUNAL,
PARAMAKUDI.

+1 CC to M/s.YOGESH KANNADASAN, Advocate (SR-4057[I] dated
26/02/2020)

ORDER
IN
CMP (MD) No.10534 of 2019
IN
CMA (MD) No.269 of 2019
Date :25/02/2020

PS
TE/JC/SAR-III : 02/03/2020 : 2P/3C