



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

Friday, the Sixteenth day of October Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

CMP(MD) No.11078 of 2019

IN

CMA(MD) No.553 of 2019

1 M.PERUMAL
2 SELVI
3 UMANATH

... PETITIONERS/RESPONDENTS No.1 to 3

Vs

1 THE BRANCH MANAGER,
NATIONAL INSURANCE COMPANY LIMITED,
DIVISIONAL OFFICE,
ANGUVILAS BUILDING,
NORTH CAR STREET,
NAGERCOIL.

... RESPONDENT No.1/APPELLANT

2 T.LAWRENCE

... RESPONDENT NO.2/RESPONDENT No.4

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass necessary orders by allowing this petition and thereby permit the petitioners herein to withdraw 50 per cent of their share amount in the award with proportionate interest and entire cost deposited by the respondent No.1/Appellant herein in MCOP No.746 of 2011 on the file of the Motor Accident Claims Tribunal cum IV Additional District Judge of Tirunelveli pending disposal of the above appeal.

Prayer in CMA(MD) .553/2019 :

To set aside the Judgment and decree passed by the Motor Accident Claims Tribunal cum IV Additional District Judge, Tirunelveli, made in MCOP No.746 of 2011 dated 28.11.2017 and allow this appeal with costs.

ORDER : This petition coming on for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.SAKTHIVEL, Advocate for the petitioner, the Court made the following order:-

The learned counsel for the appellant in C.M.A(MD).No.553 of 2019 did not appear right through a day. This Court, therefore,
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after perusing the award and also the grounds of appeal, permits the claimants to withdraw a sum of Rs.7,50,000/- and each of the claimants shall take a sum of Rs.2,50,000/-.

2. Accordingly, this petition is allowed.

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sd/-
16/10/2020

/ TRUE COPY /

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

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL CUM IV ADDITIONAL DISTRICT JUDGE,
TIRUNELVELI,

+1. C.C. to M/S.V.SAKTHIVEL, Advocate SR.No.7124

ORDER
IN
CMP(MD) No.11078 of 2019
IN
CMA(MD) No.553 of 2019
Date :16/10/2020

rmk/cm
PK/AKM/SAR-II/09.11.2020 : 2P/3C