



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

Wednesday, the Eighth day of January Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice R.THARANI

C.M.P. (MD)No.11816 of 2019
in
C.M.A. (MD)No.633 of 2019
and
C.M.P. (MD)No.7816 of 2019

THE BRANCH MANAGER,
NEW INDIA ASSURANCE COMPANY LIMITED,
T.S. NO. 1817, NEELA SOUTH ROAD,
NAGAPATTINAM KASPA,
NAGAPATTINAM DISTRICT.

... PETITIONER/PETITIONER/APPELLANT

Vs

1 MUTHAMIZHAN
2 SENTHILKUMAR

... RESPONDENTS/RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to to enlarge the time granted by this Hon`ble Court in C.M.P (MD) No.7816 of 2019 in CMA (MD) No. 633 of 2019 dated 28.08.2019 by six weeks for compliance and thereby render justice.

Prayer in C.M.A. (MD)No.633 of 2019

To call for the records relating to the Fair Order and Decreeal Order dated 28.02.2019, passed in M.C.O.P.No.18 of 2018 by the Motor Accident Claims Tribunal (III Additional District and Sessions Judge) Thanjavur at Pattukottai and set aside the same in so far as the quantum alone is concerned with costs and thereby render justice.

Prayer in CMP(MD). 7816/ 2019 :

To grant Stay all further proceedings pursuant to the award dated 28.02.2019, passed in M.C.O.P.No.18 of 2018 by the Motor Accident Claims Tribunal (III Additional District and Sessions Judge), Thanjavur at Pattukottai, pending disposal of the above CMA.

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.D.MALAICHAMY, Advocate for the petitioner and of MR.S.DEENA DHAYALAN, Advocate on behalf of the First Respondent,

<https://hccres.courts.gov.in/home> the following order:-



The learned counsel for the petitioner/ appellant as well as the first respondent / claimant are present.

2. On the side of the petitioner / appellant, it is stated that the time already granted for deposit of entire award amount expired on 29.10.2019. Due to the delay in filing the copy application, the order could not be complied with within the time limit and prayed for extension of time.

3. Considering the above circumstances, the petitioner / appellant is permitted to deposit that amount within a period of four weeks from today.

4. On the side of the first respondent / claimant, it is represented that the first respondent / claimant may be permitted to withdraw 50% of the deposit amount.

5. On the side of the petitioner / appellant, it is stated that for disability, multiplier method has been used by the Tribunal and there is serious dispute regarding the quantum.

6. In the above circumstances, the first respondent / claimant is permitted to withdraw 10% of the award amount with proportionate accrued interest.

7. Call on 11.02.2020.

sd/-
08/01/2020

/ TRUE COPY /

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

TO
THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THANJAVUR DISTRICT AT PATTUKOTTAI.

+1. C.C. to M/S D.MALAICHAMY Advocate SR.No.383

ORDER
IN
C.M.P. (MD) No.11816 of 2019
in
C.M.A. (MD) No.633 of 2019
and
C.M.P. (MD) No.7816 of 2019
Date :08/01/2020

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<https://hcmjce.siv.org.in/Services/1.2020/2P/3C>