



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Friday, the Tenth day of January Two Thousand Twenty
PRESENT

The Hon`ble Mrs.Justice R.THARANI

C.M.P. (MD)No.12383 of 2019
in C.M.A. (MD)No.741 of 2019
and
C.M.P. (MD)No.9467 of 2019
in C.M.A. (MD)No.741 of 2019

C.M.P. (MD)No.12383 of 2019 in C.M.A. (MD)No.741 of 2019:

1 ANBARASAN
2 SINGARAM

... PETITIONERS/ RESPONDENTS 1 & 2/
PETITIONERS

Vs

1 THE BRANCH MANAGER
NATIONAL INSURANCE COMPANY LTD,
NO.63, WEST PRADHAKSHNAM ROAD,
KARUR.

... 1st RESPONDENT/ APPELLANT/
2nd RESPONDENT

2 M/S.V.K.M. TRANSPORTS
NO.55/49, SOUTH MADAVILAGAM STREET,
KARUR DISTRICT.

... 2nd RESPONDENT/ 3rd RESPONDENT/
1st RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass necessary orders by allowing this petition and thereby permit the petitioners to withdraw the appellant Insurance Company admitted liability amount of Rs.10,12,800/- together with accrued interest and costs which was deposited by the 1st respondent in MCOP No.253 of 2016 on the file of the Motor Accident Claims Tribunal, Principal District Judge, Karur.

Prayer in CMA(MD) . 741/ 2019 :

To set aside the judgement and decree passed by the Motor Accident Claims Tribunal, Principal District Judge, Karur in MCOP No.253 of 2016 dated 13.8.2018

CMP(MD) No.9467 of 2019 IN CMA(MD) No.741 of 2019:

1 THE BRANCH MANAGER ,
NATIONAL INSURANCE COMPANY LIMITED,
63, WEST PRADHAKSHNAM ROAD, KARUR.

... PETITIONER / APPELLANT



Vs

1 ANBARASAN

2 SINGARAM

3 M/S.V.K.M. TRANSPORTS

NO.55/49, SOUTH MADAVILAGAM STREET,
KARUR DISTRICT.

... RESPONDENTS / RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay all further proceedings in pursuant to the judgement and decree dated 13.8.2018 in MCOP No.253 of 2016 on the file of the Motor Accident Claims Tribunal Principal District Judge, Karur pending disposal of the above CMA.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.N.SUDHAGAR NAGARAJ, Advocate for the petitioners in C.M.P.(MD)No.12383 of 2019 in C.M.A.(MD)No.741 of 2019 and R1 & R2 in CMP(MD) No.9467 of 2019 IN CMA(MD) No.741 of 2019 and Mr.D.SIVARAMAN, Advocate for the petitioner in CMP(MD) No.9467 of 2019 IN CMA(MD) No.741 of 2019 and R1 in C.M.P.(MD) No.12383 of 2019 in C.M.A.(MD)No.741 of 2019, the court made the following order:-

The learned counsel for the petitioners/ claimants as well as the first respondent / appellant are present.

2. On the side of the petitioners / claimants , it is stated that the claimants may be permitted to withdraw the admitted quantum of compensation with proportionate interest.

3. A perusal of the appeal reveals that the Insurance Company admitted liability to the tune of Rs.10,12,800/- (Rupees Ten Lakhs Twelve Thousand and Eight Hundred only). Hence, the petitioners / claimants are permitted to withdraw the admitted award amount of Rs.10,12,800/- (Rupees Ten Lakhs Twelve Thousand and Eight Hundred only) with proportionate interest as per apportionment made by the Tribunal.

4. With the above direction, this Civil Miscellaneous Petition is allowed.

sd/-

10/01/2020

/ TRUE COPY /

/ /2020

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



TO
THE PRINCIPAL DISTRICT JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
KARUR.

WEB COPY

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-699[I] dated 10/01/2020)

+1 CC to M/s.N.SUDHAGAR NAGARAJ, Advocate (SR-881[I] dated 13/01/2020)

ORDER IN
C.M.P. (MD)No.12383 of 2019
in C.M.A. (MD)No.741 of 2019
and
C.M.P. (MD)No.9467 of 2019
in C.M.A. (MD)No.741 of 2019
Date :10/01/2020

MS/PN/SAR-2/22.01.2020/3P.4C