



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Tenth day of December Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HON`BLE MR.JUSTICE P.D.AUDIKESSAVALU

CMP.No.14144 of 2021

in CMA.No.677 of 2021

KAVIN

[PETITIONER]

Vs

1 M/S.RELIANCE GENERAL INSURANCE
CO.LTD., REP. BY ITS MANAGER, HAVING
OFFICE AT 1ST FLOOR, GEE JAY ARCADE,
141/71, THIRUVENKADASAMY ROAD WEST,
R.S.PURAM, COIMBATORE.

[RESPONDENTS]

2 BALAJI @ PRAVEENKUMAR

3 P.SREEMANI DEVI

4 P.CHINNAMMAL

5 MANIKANDAN

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased To withdraw the entire 50% of the award amount with proportionate interest and cost deposited by the 1st respondent on the file of the Hon'ble Motor Accident Claims Tribunal cum III Additional District and Sessions Judge, Coimbatore in M.C.O.P.No.962 of 2011 as per the Conditional Order dated 09.03.2021 passed by this Hon'ble Court in CMP.No.4134 of 2021 in CMA.No.677 of 2021 (in CMP.No.14144 of 2021).

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.L.MOULI, Advocate for the petitioner and of M/S.S.ARUNKUMAR, Advocate for the 1st Respondent, the court made the following order:-



This petition has been filed, seeking permission to withdraw 50% of the award amount with proportionate interest deposited by the first respondent to the credit of MCOP.No.962 of 2011 on the file of the Motor Accident Claims Tribunal/III Additional District and Sessions Judge, Coimbatore.

2. The learned counsel appearing for the petitioner/claimant Mr.Mouli would state that the claimant has sustained 100% disability and still he is taking treatment. So the petitioner needs money.

3. The learned counsel appearing for the Insurance Company Mr.S.Arun Kumar objected the petition on the grounds that the owner of the offending Vehicle has substituted the driver since he is not having valid driving licence and transfer of the vehicle was not informed to the Insurance Company.

4. Perusal of the records would show that the petitioner has spent Rs.4,00,000/- (Rupees four lakhs only) for medical expenses and still he is taking treatment. Hence, we are allowing the petitioner to withdraw Rs.10,00,000/- (Rupees ten lakhs only) and the balance amount shall be invested in any one of the nationalised Bank. Accordingly, this petition is ordered.

-sd/-

10/12/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

THE III ADDITIONAL DISTRICT
AND SESSIONS JUDGE, MOTOR ACCIDENTS
CLAIMS TRIBUNAL, COIMBATORE.

C.C. to M/S.L.MOULI, Advocate SR.NO.7338/2021

Order

in

CMP.No.14144 of 2021

in CMA.No.677 of 2021

Date :10/12/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
PA (29/12/2021)