



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Civil Appellate Jurisdiction)

Monday, the Twentieth day of December Two Thousand Twenty One

PRESENT

THE HON'BLE MR.JUSTICE S.S.SUNDAR

CMP.No.19209 of 2021

in CMA.No.2359 of 2019

1 VEERAMMA

[PETITIONERS]

2 MANIVANNAN

Vs

1 THE DIVISIONAL MANAGER

[RESPONDENTS]

THE NEW INDIA ASSURANCE CO.LTD,
NO.30, J.N.STREET, PUDUCHERRY.

2 MINOR KAMINI

D/O.MATHIVANAN, SUNAKKUPPAM VILLAGE,
CUDDALORE TALUK, NOW AT KOONIMEDU KUPPAM,
TINDIVANAM TALUK.

3 MINOR RASIKA

D/O.MATHIVANAN, MINORS REP BY NF GUARDIAN
GRANDMOTHER VEERAMMA, SUNAKKUPPAM VILLAGE,
CUDDALORE TK, NOW AT KOONIMEDU KUPPAM,
TINDIVANAM TALUK.

4 ELAVARASI

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 their respective shares of award amount out of the amount deposited by the respondent/appellant herein to the credit of MCOP.NO.16 of 2015 on the file of the II Addl.District Judge, Motor Accidents Claims Tribunal, Tindivanam. (CMP.No.19209 of 2021)pending disposal of the CMA.No.2359 of 2019.

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.B.GURUNATHAN, Advocate for the petitioners and of MR.M.KRISHNAMOORTHY, Advocate for the 1st Respondent, the court made the following order:-



The above miscellaneous petition is filed by the petitioners/claimants seeking permission to withdraw their respective shares of Award amount out of the amount deposited by the 1st respondent herein to the credit of MCOP.No.16/2015 on the file of the learned II Additional District Judge, Motor Accidents Claims Tribunal, Tindivanam,

2.It is admitted by the claimants that the above Appeal is preferred by the Insurance Company as against the Award of the Motor Accidents Claims Tribunal, Tindivanam, disputing their liability on the ground that the deceased was solely responsible for the accident and that the risk of a two-wheeler rider is not covered under Section 147 of the Motor Vehicles Act. It is the case of the appellant/Insurance Company that no other vehicle is involved in the accident and therefore, there cannot be a coverage for a rider.

3.In these circumstances, this Miscellaneous Petition is closed.

4.However, the Civil Miscellaneous Appeal is posted for final hearing on 04.01.2022.

-sd/-

20/12/2021

/ TRUE COPY /

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

TO

THE II ADDITIONAL DISTRICT JUDGE,
TINDIVANAM.

C.C. to M/S.B.GURUNATHAN Advocate SR.NO.7560

Order
in
CMP.No.19209 of 2021
in CMA.No.2359 of 2019

Date :20/12/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
GS(22/12/2021)