



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2021

CORAM:

THE HONOURABLE **MRS.JUSTICE R.THARANI**

C.M.A. (MD)No.1554 of 2011

and

M.P. (MD)No.2 of 2011

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National Insurance Company Limited,
Kovilpatti.

... Appellant/Respondent No.2

Vs.

1.P.Murugalakshmi	... Respondent NO.1/Petitioner No.1
2.Minor Ramachandran	... Respondent NO.2/Petitioner No.2
3.Minor Lakshmanan	... Respondent NO.3/Petitioner No.3
4.Minor Sivasubramani	... Respondent NO.4/Petitioner No.4
5.Sundarachi	... Respondent NO.5/Petitioner No.5
(Minors 2 to 4 are represented through their mother and next friend Murugalakshmi, the 1 st respondent herein)	
6.Saravanakumar	... Respondent No.6/Respondent NO.1

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and award made in M.C.O.P.No. 1520 of 2007, dated 20.09.2010, on the file of the Motor Accidents Claims Tribunal, Principal District Court, Tirunelveli.

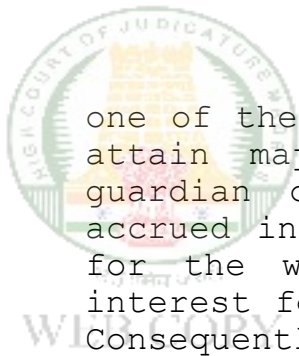
For Appellant	:	Mr.D.Sivaraman
For R1	:	Mr.S.Sathya Chidambaram

JUDGMENT

The learned counsel for the appellant seeks permission of this Court to withdraw this Civil Miscellaneous Appeal and he has also circulated a letter, dated 27.08.2021, to the Registry to that effect. Permission granted.

2.In view of the above, this Civil Miscellaneous Appeal is dismissed as withdrawn.

3.However, the appellant / Insurance Company is directed to deposit Rs.6,47,000/- along with interest from the date of petition till the date of deposit and cost within a period of eight weeks from the date of receipt of a copy of this judgment. On such deposit, the major claimants / first and fifth respondents herein are permitted to withdraw their respective shares with proportionate interest as per ratio fixed by the Tribunal, after deducting any amount received by them earlier. The Tribunal is directed to deposit the share of the minor claimants / respondents 2 to 4 herein in any



one of the Nationalised Banks, in a Fixed Deposit scheme, till they attain majority. The first respondent, who is the mother and guardian of the minor claimants, is permitted to withdraw the accrued interest once in three months directly from the bank, only for the welfare of minors. The Claimants are not entitled for interest for the default period, if there is any default. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Motor Accidents Claims Tribunal,
Principal District Court,
Tirunelveli.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-27993[F] dated 02/09/2021)

C.M.A. (MD)No.1554 of 2011
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RS (20.09.2021) 2P 5C