



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

Friday, the Twenty Third day of April Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD) No.3744 of 2020

IN

CMA(MD) No.643 of 2019

SUNDARAMOORTHY

... PETITIONER/1ST RESPONDENT

Vs

1 THE BRANCH MANAGER

THE ORIENTAL INSURANCE CO LTD,

NO 2851/235, KAMALA SUBRAMANIAN ARCADE,

FIRST FLOOR, TRICHY MAIN ROAD,

THANJAVUR TOWN, THANJAVUR DISTRICT. ...1ST RESPONDENT/APPELLANT

2 VENKATESH

... 2ND RESPONDENT/2ND RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioner to withdraw 50 percent of the award amount, which was deposited into the credit of MCOP No 1515 of 2017 on the file of the Motor Accidents Claims Tribunal Special Sub Court, Thanjavur, pending disposal of CMA(MD) No. 643 of 2019 on the file of this Hon`ble court and thus render justice.

Prayer in CMA(MD). 643/ 2019 :

Pleased to set aside the order of the Tribunal at MACT cum Special Sub Court, Tanjavur made in MCOP No.1515 of 2017 dated 26.06.2018 and allow the appeal with costs.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.G.KARNAN, Advocate for the petitioner and MR. C.JAWAHAR RAVINDREN, Advocate for Respondent No.1 the court made the following order:-

This petition has been filed by the petitioner / claimant to withdraw 50% of the award amount, which was deposited into the credit of MCOP.No.1515 of 2017 on the file of the Motor Accidents Claims Tribunal / Special Sub Court, Thanjavur.

2. The learned counsel appearing for the respondent would submit that as per direction of this Court dated 30.08.2019, the



appellant / Insurance Company has already deposited the entire award amount before the Tribunal and that the trial Court has awarded a sum of Rs.3,90,000/- towards loss of income for 40% of the disability.

3. Considering the facts and circumstances, the petitioner / claimant is permitted to withdraw a sum of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand only), which was lying in the credit of MCOP.No.1515 of 2017, with proportionate interest on filing necessary application before the Tribunal.

4. The petition is ordered accordingly.

sd/-
23/04/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE MOTOR ACCIDENTS CLAIMS TRIBUNAL SPECIAL SUB COURT,
THANJAVUR.

ORDER
IN
CMP(MD) No.3744 of 2020
IN
CMA(MD) No.643 of 2019
Date :23/04/2021

VB PN SAR-III(29/04/2021) 2P / 2c