



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

Thursday, the Second day of December Two Thousand and Twenty One
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

WEB COPY

CMP(MD) No.10135 of 2021

AND

CMA(MD)No.823 of 2021

1 S.AYISHA BEGAM
2 MINOR.S.SHEIK FARVESH
3 MINOR.S.SHEIR FARITH
**(MINOR RESPONDENTS 2 AND 3
REPRESENTED BY THEIR MOTHER AND
NATURAL GUARDIAN, 1st RESPONDENT)**

4 A.SAFFIYUN
5 A.ASKAR ALI ... PETITIONERS/RESPONDENTS 1 TO 5

Vs

1 THE BRANCH MANAGER,
NATIONAL INSURANCE CO. LTD.,
HAVING ITS OFFICE AT,
NO. 63, WEST PRATHATCHINAM ROAD,
KARUR. ... 1st RESPONDENT/APELLANT

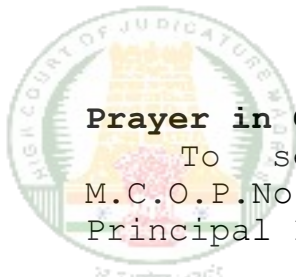
2 V.P. GOPALAKRISHNAN

3 MAKKAL ARAKATTALAI,
REP. BY ITS MANAGING TRUSTEE,
PARAMATHY VELUR TALUK,
NAMAKKAL DISTRICT.

4 THE BRANCH MANAGER,
ORIENTAL INSURANCE CO.LTD.,
D.NO. 90A, THURAIYUR ROAD,
NAMAKKAL DISTRICT. ... RESPONDENTS No.2 TO 4/
RESPONDENTS No.6 TO 8

**(SINCE THE RESPONDENTS NO.2
TO 4 ARE NOT NECESSARY
PARTIES AND HENCE THEY MAY BE
GIVEN UP**

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioners TO WITHDRAW the award amount which was deposited by the 1st respondent to the credit of M.C.O.P. No. 606 of 2011 on the file of the Motor Accidents Claims Tribunal (Principal District Court) Karur.



Prayer in CMA(MD) . 823/ 2021 :

To set aside the "Pay and Recovery" award passed in M.C.O.P.No.606/2011,dated 19-07-2019 on the file of the MACT Principal District Judge,Karur, and allow this appeal.

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.K.BALASUBRAMANI, Advocate for the petitioners and of Mr.A.S.MATHIALAGAN, Advocate on behalf of the 1st Respondent, the court made the following order:-

This Civil Miscellaneous Petition has been filed by the petitioners to withdraw the award amount with accrued interest and cost deposited by the first respondent/Insurance Company to the credit of M.C.O.P.No.606 of 2011 on the file of the Motor Accident Claims Tribunal (Principal District Court), Karur.

2.Perused the records.

3.Considering the facts and circumstances of the case, the petitioners 1, 4 and 5 are permitted to withdraw 50% of the deposited amount of their shares with proportionate accrued interest and costs, by filing appropriate application before the Tribunal.

4.List the matter on 20.12.2021

sd/-

02/12/2021

/ TRUE COPY /

/ /2021

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

TO

THE PRINCIPAL DISTRICT JUDGE
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
KARUR.

+1. C.C. to M/S.K.BALASUBRAMANI, Advocate SR.No.8755

ORDER

IN

CMP(MD) No.10135 of 2021

AND

CMA(MD)No.823 of 2021

Date :02/12/2021

SA/VR/SAR.2/07.12.2021/2P/3C