



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

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

WEB COPY

The Hon`ble Mrs.Justice S.ANANTHI

C.M.P (MD) No.11163 of 2021
in
C.M.A (MD) No.834 of 2021

1 MURUGAN
2 SANKARAMMAL
3 SURYA
4 RAMYA

... PETITIONERS/ RESPONDENTS 1 TO 4

Vs

1 ROYAL SUNDARAM ALLIANCE INSURANCE BLOCK,
MENA KAMPALARCADE,
SITHEYAGARAJA ROAD, T.NAGAR,
CHENNAI-600 017.

2 PEER MYDEEN
3 MARIMUTHU

4 THE NEW INDIA ASSURANCE COMPANY LTD,
EAST CAST CHAMBERS,
NO.92 GN CHETTI ROAD,
CHENNAI-600 017.

... RESPONDENTS/ RESPONDENTS

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 entire deposited amount to the credit of MCOP No.1429 of 2016 on the file of the Motor Accident Claims Tribunal, (Principal District Judge) Tirunelveli, pending disposal of the above Civil Miscellaneous petition.

Prayer in CMA(MD). 834/ 2021 :

To set aside the fair and decreetal order dated 13.02.2019 made in M.C.O.P.No.1429 of 2016 on the file of the Motor Vehicles Accident Claims Tribunal Principal District Judge,Tirunelveli 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.T.SESLVAKUMARAN, Advocate for the petitioner and of MR.M.JERIN MATHEW, Advocate on behalf of the Respondents, the court made the following order:-



This Civil Miscellaneous Petition is filed by the petitioners to permit the petitioners to withdraw the entire award amount, which was already deposited to the credit of M.C.O.P.No.1429 of 2016 on the file of the Motor Accident Claims Tribunal (Principal District Judge), Tirunelveli.

2.Mr.Jerin Mathew, learned counsel for the respondents has strongly opposed to withdraw the amount.

3.Perused the records.

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

sd/-

23/12/2021

/ TRUE COPY /

/ /2021

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

TO

THE PRINCIPAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUNELVELI.

+1 CC to Mr.T.SELVAKUMARAN, Advocate (SR-9700[I] dated 23/12/2021)

ORDER

IN

C.M.P (MD) No.11163 of 2021

in

C.M.A (MD) No.834 of 2021

Date :23/12/2021

vsd

MK/JM/SAR.III/30.12.2021/2P/3C