



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

Thursday, the Twenty Seventh day of October Two Thousand and Twenty
Two

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.2498 of 2020

IN

CMA(MD) No.145 of 2020

THE TATA AIG GENERAL INSURANCE COMPANY LTD.,
TIRUNELVELI
THROUGH ITS BRANCH MANAGER

... PETITIONER/APELLANT

Vs

1 SANKARAMMAL
2 MINOR.SUDALAIMOORTHY,
3 MINOR.HARISELVAM

(MINORS R2 & R3 ARE REPRESENTED
BY THEIR MOTHER AND NATURAL GUARDIAN,
THE 1ST RESPONDENT SANKARAMMAL)

4 BAGAVATHY

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant interim stay of all further proceedings pursuant to the judgment and Decree dated 03.12.2019 made in M.C.O.P. No. 326 of 2015 on the file of the Motor Accidents Claims Tribunal, Additional Subordinate Court, Tenkasi, pending disposal of the appeal.

Prayer in CMA(MD). 145/ 2020 :

To set aside the Judgment and Decree made in MCOP No. 326 of 2015 dated 03.12.2019 on the file of the Motor Accidents Claims Tribunal, Additional Subordinate Court, Tenkasi 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.J.S.MURALI, Advocate for the petitioner and none appeared either in person or by an advocate on behalf of the respondents, the court made the following order:-

On the side of the petitioner, it is stated that the petitioner is questioning the liability and hence interim order is necessary.



2.No representation on the side of the respondents.

3.In the above circumstances, Interim Stay is granted on condition that the petitioner/ appellant deposits 50% of the award amount with proportionate interests and costs, awarded in M.C.O.P.No.326 of 2015 on the file of the Motor Accidents Claims Tribunal/Additional Subordinate Court, Tenkasi, within a period of four weeks with proportionate accrued interest, to the credit of M.C.O.P.No.326 of 2015 on the file of the Motor Accidents Claims Tribunal/Additional Subordinate Court, Tenkasi, less any amount already deposited, failing which, interim stay granted shall stand automatically vacated.

4.Hence, this petition is disposed of.

sd/-

27/10/2022

/ TRUE COPY /

/11/2022

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

TO
THE ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
TENKASI.

+1 CC to M/s.J.S.MURALI, Advocate (SR-12081[I] dated 28/10/2022)

ORDER

IN

CMP(MD) No.2498 of 2020

IN

CMA(MD) No.145 of 2020

Date :27/10/2022

vsd

RS/VR/SAR.2(02.11.2022) 2P-3C