



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

Tuesday, the Twenty Second day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMP(MD) No.3736 of 2020 AND 1485 of 2022
IN
CMA(MD) No.283 of 2020

THE UNITED INDIA INSURANCE COMPANY LTD.,
THROUGH ITS BRANCH MANAGER,
XAVIER BUILDING, PWD ROAD,
NAGERCOIL, AGASTEESWARAM TALUK,
KANYAKUMARI DISTRICT.

... PETITIONER/APELLANT
IN BOTH THE PETITIONS

Vs

1. M.DHARMARAJ
2. T.VISHNU

... RESPONDENTS/RESPONDENTS
IN BOTH THE PETITIONS

PRAYER IN CMP(MD) No.3736 of 2020 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of Interim Stay by staying the Decree and Judgment dated 24.04.2019 passed in MCOP No.119/2017 on the file of the Hon'ble Motor Accidents Claims Tribunal / Chief Judicial Magistrate Court, Nagercoil pending disposal of the above Civil Miscellaneous Appeal.

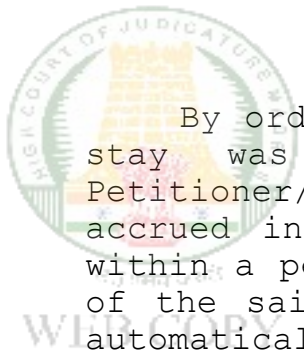
PRAYER IN CMP(MD) No.1485 of 2022 :

Pleased to pass on order interim stay by staying the Decree and Judgment dated 24.04.2019 passed in MCOP No.119/2017 on the file of the Hon'ble Motor Accidents Claims Tribunal/Chief Judicial Magistrate Court, Nagercoil, pending disposal of the above Civil Miscellaneous Appeal.

Prayer in CMA(MD) . 283/2020 :

To set aside the Judgment and Decree dated 24.04.2019 passed in MCOP No.119/2017 on the file of the Motor Accidents Claims Tribunal / Chief Judicial Magistrate Court, Nagercoil.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.C.KARTHIK, Advocate for the petitioner, the court made the following order:-



By order, dated 14.08.2020, in C.M.P(MD)No.3736 of 2020, interim stay was granted by this Court on condition that the Petitioner/appellant therein deposits the entire award amount with accrued interest and costs to the credit of the claim petition within a period of twelve weeks from the date of receipt of a copy of the said order, failing which, interim stay granted shall stand automatically vacated without further reference to this Court.

2.It is represented by the learned counsel for the Petitioner/appellant that due to Corona pandemic, conditional order was not complied in time and hence C.M.P(MD)No.3736 of 2020 automatically stands dismissed. But subsequently, the entire award amount as ordered earlier, was deposited and hence, the Petitioner has once again filed C.M.P(MD)No.1485 of 2022, praying for interim stay.

3.In view of the above stated position, there shall be an order of interim stay as prayed for. It is open to the claimant/s to file appropriate application for withdrawal, if so advised.

4.The Miscellaneous Petition in C.M.P(MD)No.1485 of 2022 is ordered accordingly.

sd/-
22/03/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE CHIEF JUDICIAL MAGISTRATE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
NAGERCOIL.

ORDER IN
CMP(MD) No.3736 of 2020 AND
1485 of 2022
IN
CMA(MD) No.283 of 2020
Date :22/03/2022

vsn
USK/PN/SAR-III/25.03.2022/2P/2C