



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

Thursday, the Thirtieth day of June Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.5250 of 2022

IN

CMA(MD) No.610 of 2022

THE DIVISIONAL MANAGER,
NEW INDIA ASSURANCE COMAPNY LIMITED,
NO.252, KAMARAJAR SALAI,
MADURAI.

... PETITIONER/APPELLANT

Vs

1. SIDDHI AYISHA AMMAL
2. APSALSHAH
3. ASHWARSHAH
4. HARSHADSHAH
(MINORS R2 TO R4 ARE REPRESENTED BY
THEIR MOTHER AND GUARDIAN, THE 1ST
RESPONDENT HEREIN)

5. MANOSH DON

... 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 an order of interim stay of all further proceedings pursuant to the Judgment and Decree made in MCOP.No.262 of 2019 dated 25-10-2021 on the file of the Motor Accidents Claims Tribunal, Principal District Court, Ramanathapuram, pending disposal of the appeal.

Prayer in CMA(MD) .610/2022 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the judgment and decree in MCOP.No.262 of 2019 dated 25-10-2021 on the file of the Motor Accidents Claims Tribunal, Principal District Court, Ramanathapuram 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, while admitting the CMA., the court made the following order:-



There shall be an order of Stay on condition that the petitioner/appellant shall deposit 50 % of the award amount with proportionate interests and costs, awarded in M.C.O.P.No.262 of 2019, on the file of the Motor Accident Claims Tribunal -Principal District Court, Ramanathapuram, within a period of four weeks from the date of this order, after deducting the amount already deposited by him, to the credit of M.C.O.P.No.262 of 2019, on the file of the Motor Accident Claims Tribunal-Principal District Court, Ramanathapuram, failing which, the stay granted shall stand automatically dismissed.

2. This Petition is allowed accordingly.

sd/-
30/06/2022

/ TRUE COPY /

/07/2022

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

TO

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

+1 CC to M/s.J.S.MURALI, Advocate (SR-6388[I] dated 30/06/2022)

ORDER
IN
CMP(MD) No.5250 of 2022 IN
CMA(MD) No.610 of 2022
Date :30/06/2022

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USK/JM/SAR-II/04.07.2022/2P/3C