



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

Tuesday, the Thirteenth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.5244 of 2019

AND

CMP(MD) No.10229 of 2019

IN

CMA(MD) No.433 of 2019

IN CMP(MD) No.5244 of 2019 IN CMA(MD) No.433 of 2019 :

THE DIVISIONAL MANAGER
UNITED INDIA INSURANCE CO.LTD.,
DIVISIONAL OFFICE,
PROMENADE ROAD, CANTONMENT,
TIRUCHIRAPALLI

... PETITIONER/APELLANT

Vs

1 MINOR THINAGARAN

2 MINOR DEEPIKA

(1 TO 2 MINOR RESPONDENTS REP. BY THEIR
MOTHER/NEXT FRIEND MUTHULAKSHMI)

3 MURALIDHARAN

(R3 IS DECLARED AS MAJOR AND DISCHARGED
HIS MOTHER FROM THE GUARDIANSHIP, VIDE
COURT ORDER DATED 03.09.2019 MADE IN CMP
(MD)NO.6760 OF 2019 IN CMA (MD)NO.433 OF
2019)

4 MUTHULAKSHMI

5 RAMANATHAN AND COMPANY

NO.114 G1 GREEN HOUSE APARTMENTS,
MC REYNOLDS ROAD,
CANTONMENT,
TRICHY DISTRICT

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay the Award and Decree dated 29.08.2016 passed in MCOP.No.1792 of 2013 on the file of the Honourable Motor Accident Claims Tribunal, (Special District Court), Tiruchirappalli pending disposal of the above CMA.



IN CMP(MD) No.10229 of 2019 IN CMA(MD) No.433 of 2019 :

- 1 MINOR THINAGARAN
- 2 MINOR DEEPIKA
- 3 MINOR MURALIDHARAN

(1 TO 3 MINOR PETITIONERS ARE REPRESENTED BY THEIR MOTHER/NEXT FRIEND MUTHULAKSHMI)

(3rd PETITIONER/RESPONDENT NO.3 IS DECLARED AS MAJOR AND DISCHARGED HIS MOTHER FROM THE GUARDIANSHIP, VIDE COURT ORDER DATED 03.09.2019 MADE IN CMP(MD) NO.6760 OF 2019 IN CMA (MD)NO.433 OF 2019).

4 MUTHULAKSHMI ... PETITIONERS/RESPONDENTS 1 TO 4/
PETITIONERS

VS

1 THE DIVISIONAL MANAGER
UNITED INDIA INSURANCE CO.LTD.,
DIVISIONAL OFFICE,
PROMENADE ROAD, CANTONMENT,
TIRUCHIRAPALLI

... 1st RESPONDENT/APPELLANT/
2nd RESPONDENT

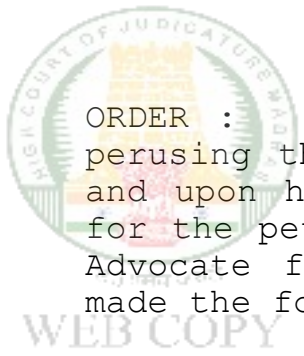
2 RAMANATHAN AND COMPANY
NO.114 G1 GREEN HOUSE APARTMENTS,
MC REYNOLDS ROAD,
CANTONMENT,
TRICHY DISTRICT

... 2nd RESPONDENT/5th RESPONDENT/
1st RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass necessary orders by allowing this petition and thereby permit the petitioners to withdraw the 50% of the Tribunal award amount together with proportionate interest and costs which was deposited by the 1st respondent in MCOP No.1792 of 2013 on the file of the Motor Accident Claims Tribunal/Special District Court, Tiruchirappalli.

PRAYER IN CMA(MD) No.433 of 2019:

To set aside the judgment and decree dated 29.08.2016 as passed in MCOP No.1792 of 2013 before the Honb'le Motor Accident Claims Tribunal, (Special District Court), Tiruchirappalli.



ORDER : These petitions coming up for orders on this date, on perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.G.PRABHU RAJADURAI, Advocate for the petitioner in CMP(MD) No.5244/2019 & MR.N.SUDHAGAR NAGARAJ, Advocate for the Peititioner in CMP(MD) No.10229/2019, the court made the following order:-

Since the main appeal is ripe for arguments, these petitions are closed.

sd/-
13/12/2022

/ TRUE COPY /

/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
(SPECIAL DISTRICT COURT),
TIRUCHIRAPPALLI.

ORDER
IN
CMP(MD) No.5244 of 2019 AND
CMP(MD) No.10229 of 2019
IN
CMA(MD) No.433 of 2019
Date :13/12/2022

vsd
USK/VR/SAR-III/19/12/2022/3P/2C