



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

Monday, the Fourteenth day of March Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMP(MD) No.4713 of 2020

IN

CMA(MD) No.364 of 2020

WEB COPY

THE ORIENTAL INSURANCE COMPANY LIMITED,
REP.BY ITS DIVISIONAL MANAGER,
1024-B, VIJAYA COMPLEX, OPP.THENI BUS STAND,
CUMBUM ROAD, THENI DISTRICT.

... PETITIONER/APPELLANT/
3rd RESPONDENT

Vs

1 P. KAMARAJ

2 PANCHAVARNAM

3 MINOR. SUVALAKSHMI

(MINOR 3RD RESPONDENT BY HER FATHER
AND NEXT GUARDIAN OF 1st RESPONDENT
KAMARAJ)

4 K.RAJA

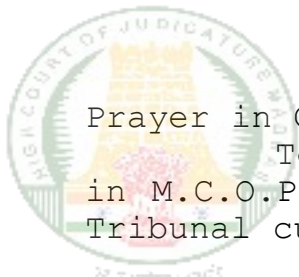
5 GOVINDARAJ

... 4th & 5th RESPONDENTS/4th & 5th RESPONDENTS/
1st & 2nd RESPONDENTS

6 SRI VAIRAMUTHU TRAILER,
REP.BY THE PROPRIETOR OF MAHALINGAM,
MADURAI ROAD,D.NO.I-IA, OPP.TNSTC BUS DIPPO,
SRIVILLIPUTTUR TOWN,VIRDHUNAGAR DISTRICT.

7 THE NATIONAL INSURANCE COMPANY LTD.,
REP.BY THE BRANCH MANAGER,TENKASI ROAD,
RAJAPALAYAM TOWN,
VIRUDHUNAGAR DISTRICT. ... 6th&7th RESPONDENTS/6th&7th RESPONDENTS/
4th & 5th 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 al further proceedings pursuant to the Decree and Judgment passed in M.C.O.P.No.232 of 2013 on the file of the Motor Accident Claims Tribunal cum Additional District Judge, Srivilliputtur pending disposal of the appeal.



Prayer in CMA(MD). 364/ 2020 :

To set aside the Decree and Judgment dated 12-11-2019 made in M.C.O.P.No.232 of 2013 on the file of the Motor Accident Claims Tribunal cum Additional District Judge, Srivilliputtur.

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.C.KARTHIK, Advocate for the petitioner, the Court made the following order:-

The insurance company has filed an appeal challenging the award on the point of liability. As per the policy Ex.R3, it is act only on the policy covering the third party. The case of the petitioner before the Tribunal is that they have travelled in the mudguard of the Tractor.

2.The order of interim stay granted earlier is made absolute.

3.Post C.M.A.(MD)No.364 of 2020, for final disposal in the last week of April.

sd/-

14/03/2022

/ TRUE COPY /

/ /2022

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

TO

THE ADDITIONAL DISTRICT JUDGE,
THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
SRIVILIPUTTUR.

ORDER

IN

CMP (MD) No.4713 of 2020

IN

CMA (MD) No.364 of 2020

Date :14/03/2022

SS/SBN/SAR:I/17.03.2022 : 2P/2C