



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

Thursday, the Twenty Eighth day of July Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD)No.6535 of 2022
in
CMA(MD)No.744 of 2022

UNITED INDIA INSURANCE COMPANY LIMITED,
REPRESENTED THROUGH ITS DIVISIONAL MANAGER,
K.A.R.TOWERS, II FLOOR,
R.S.ROAD, DINDIGUL TOWN,
DINDIGUL DISTRICT.

...APPELLANT/2ND RESPONDENT

Vs

1 GNANAPITCHAI SEBASTIAN

...1ST RESPONDENT/CLAIMANT

2 SAINT JOSEPH POLYTECHNIC COLLEGE,
REPRESENTING THROUGH ITS SECRETARY,
PAPPU NAGAR,
NEAR RMTN NAGAR,
REDDIAPATTI VILLAGE,
DINDIGUL EAST TALUK,
DINDIGUL DISTRICT.

...2ND RESPONDENT/1ST RESPONDENT

3 TAMILNADU STATE TRANSPORT CORPORATION,
REPRESENTING THROUGH ITS MANAGING DIRECTOR,
VIRUDHUNAGAR

...2ND 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 stay all proceedings pursuant to judgement and decree dated 02-08-2021 passed in M.C.O.P.No.735 of 2017 on the file of MACT/ Special Sub-Court to deal with MCOP cases, Dindigul, pending disposal of the C.M.A.

Prayer in CMA(MD) . 744/ 2022 :

Civil Miscellaneous Petition filed under Section 173 of Motor Vehicle Act to set aside the judgment and decree dated 02-08-2021 made in M.C.O.P.No.735 of 2017 on the file of Motor Accidents Claims Tribunal / Special Sub-Court to deal with MCOP cases, Dindigul.



ORDER : This petition coming up for orders on this case, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.I.SUTHAKARAN, Advocate for the petitioner, while admitting the C.M.A., the court made the following order:-

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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.735 of 2017, on the file of the Motor Accident Claims Tribunal - Special Sub Court dealing with MCOP case, Dindigul, 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.735 of 2017, on the file of the Motor Accident Claims Tribunal - Special Sub Court dealing with MCOP case, Dindigul, failing which, stay granted shall stand automatically dismissed.

2. This Petition is allowed accordingly.

sd/-
28/07/2022

/ TRUE COPY /

/08/2022

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

TO

THE SPECIAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL
DEALING WITH MCOP CASE, DINDIGUL.

+1. C.C. to M/S.I.SUTHAKARAN Advocate SR.No.7797

ORDER
IN
CMP (MD) No.6535 of 2022
in
CMA (MD) No.744 of 2022
Date :28/07/2022

RK/PN/SAR-III/01.08.2022/2P/3C