



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

Wednesday, the Seventh day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.11886 of 2022
and
CMA(MD)No. 1158 of 2022

THE BRANCH MANAGER,
M/S.UNITED INDIA INSURANCE COMPANY,
NO. 463,1ST FLOOR, SRI VISALAM CHIT FUND BUILDING,
V.O.C.STREET, KARAUKUDI,
SIVAGANGAI DISTRICT. ... PETITIONER/APELLANT

Vs

1 MUTHU IRULAN @ MUTHIRULU,

2 POTHUMPONNU

3 SANJAI NACPAUL ... RESPONDENTS/RESPONDENTS
(RESPONDENT NO.3 GIVEN UP)

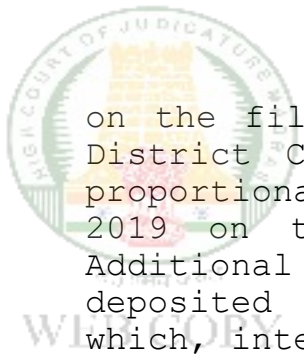
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Stay the operation of judgment and decree dated 26.11.2021 in M.C.O.P. No. 239 of 2019, on the file of the Motor Accident Claims Tribunal Cum Additional District Court, Sivagangai till the disposal of the appeal.

Prayer in CMA(MD)No. 1158/ 2022 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the order of the Tribunal of MACT cum Additional District Court, Sivagangai made in M.C.O.P. No. 239 of 2019 dated 26.11.2021 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.C.JAWAHAR RAVINDRAN, Advocate for the petitioner, while admitting the Civil Miscellaneous Appeal, the court made the following order:-

There shall be an order of Interim Stay on condition that the petitioner/ appellant deposits 50% of the award amount with proportionate interests and costs, awarded in M.C.O.P.No.239 of 2019



on the file of the Motor Accidents Claims Tribunal cum Additional District Court, Sivgangai, within a period of four weeks with proportionate accrued interest, to the credit of M.C.O.P.No.239 of 2019 on the file of the Motor Accidents Claims Tribunal cum Additional District Court, Sivgangai, less any amount already deposited from the date of receipt a copy of this order, failing which, interim stay granted shall stand automatically vacated.

2.Hence, this petition is disposed of.

sd/-

07/12/2022

/ TRUE COPY /

/12/2022

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

TO

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

ORDER

IN

CMP (MD) No.11886 of 2022

and

CMA (MD) No. 1158 of 2022

Date :07/12/2022

PNN

PKP/VR/SAR-1/15.12.2022/2P/2C