



WEB COPY

CMP(MD)



22

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

Friday, the Twenty Sixth day of August Two Thousand and Twenty Two
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.7695 of 2022

in

CMA(MD) No.822 of 2022

THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LTD,
NO.23, EVR ROAD, PUTHTHUR,
THIRUCHIRAPALLI - 620017.

... PETITIONER/APPELLANT

Vs

1 NAZEER BASHA
2 R.ELAVARASAN

... 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 Judgment dated 29.01.2021 passed in MCOP No.491 of 2017 on the file of the Motor Accidents Claims Tribunal (Special Subordinate Court) Tiruchirappalli, pending disposal of the above Civil Miscellaneous Appeal.

Prayer in CMA(MD) . 822/ 2022 :

To set aside the Judgment dated 29.01.2021 passed in MCOP No.491 of 2017 on the file of the Motor Accidents Claims Tribunal (Special Subordinate Court), Tiruchirappalli.

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.I.ROBERT CHANDRAKUMAR, 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.491 of 2017 on the file of the Motor Accidents Claims Tribunal, (Special Subordinate Court), Tiruchirappalli, within a period of four weeks with proportionate accrued interest, to the credit of M.C.O.P.No.491 of 2017 on the file of the Motor Accidents Claims Tribunal, (Special Subordinate Court), Tiruchirappalli, 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.



3. On the side of the claimant, permission is sought for, to withdraw the amount to be deposited by the appellant. The appellant has no serious objection.

4. Hence on deposit of 50% of the award amount with proportionate interest, the claimants are permitted to withdraw the same.

5. On the side of the petitioner, it is stated that a connected appeal in C.M.A(MD)No.176 of 2022 is pending before the Hon'ble Division Bench of this Court.

6. Registry is directed to link this Civil Miscellaneous Appeal along with C.M.A(MD)No.176 of 2022, after getting administrative orders.

sd/-

26/08/2022

/ TRUE COPY /

/09/2022

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

TO

THE SPECIAL SUBORDINATE JUDGE/
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
TIRUCHIRAPPALLI.

COPY TO

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.I.ROBERT CHANDRAKUMAR, Advocate (SR-9208[I] dated 29/08/2022)

ORDER

IN

CMP(MD) No.7695 of 2022
in

CMA(MD) No.822 of 2022

Date :26/08/2022

pnn

RS/PN/SAR.4 (02.09.2022) 2P-4C