



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

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

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP (MD) No.6480 of 2022

IN

CMA (MD) No. 742 of 2022

THE MANAGER

TATA AIG GENERAL INSURANCE COMPANY LIMITED,
2ND FLOOR, ADR TOWERS,
THENI ROAD, KALAVASAL,
MADURAI-625 016.

... PETITIONER/APELLANT

Vs

1 MANI

2 ESWARI

...RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order to stay the operation of the judgment and decree dated 28/02/2022 passed in MCOP.No.1514 of 2018 on the file of the Motor Accident Claims Tribunal/District and Sessions Judge, Communal Clash Cases Court, Madurai till the disposal of the main appeal.

Prayer in CMA(MD) . 742/ 2022 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the judgment and decree dated 28/02/2022 passed in MCOP.No.1514 of 2018 on the file of the Motor Accident Claims Tribunal/District and Sessions Judge, Communal Clash Cases Court, Madurai by allowing this appeal.

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 Mr.V.SAKTHIVEL, Advocate for the petitioner and of MR.M.SELVAKUMAR on behalf of the 1st Respondent, while admitting the Civil Miscellaneous Petition, the court made the following order:-



There shall be an order of Stay on condition the petitioner/appellant shall deposit 50 % of the award amount with proportionate interests and costs, awarded in M.C.O.P.No.1514 of 2018, on the file of the Motor Accident Claims Tribunal - District and Sessions Judge, Communal Clash Cases Court, Madurai, 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.1514 of 2018, on the file of the Motor Accident Claims Tribunal - District and Sessions Judge, Communal Clash Cases Court, Madurai, 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 DISTRICT AND SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
COMMUNAL CLASH CASES COURT,
MADURAI.

+1 CC to M/s.V.SAKTHIVEL, Advocate (SR-7977[I] dated 01/08/2022)

ORDER

IN

CMP(MD) No.6480 of 2022

IN

CMA(MD) No. 742 of 2022

Date :28/07/2022

Ls

PKP/VR/SAR-2/02.08.2022/2P/3C