



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

Monday, the Third day of January Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMP(MD) No.7535 of 2021
in
CMA(MD)No.90 OF 2020

1 T. GOWRI

2 MINOR T. VIKASHINI

3 MINOR T. DEEKSHINI

4 K.PAPPAYEE ...PETITIONERS/RESPONDENTS 1 TO 4

(MINOR RESPONDENTS 2 AND 3 REPRESENTED
BY THEIR MOTHER AND NATURAL GUARDIAN, 1ST
RESPONDENT)

Vs

1 M/S. NATIONAL INSURANCE COMPANY LTD.,
REPRESENTED BY ITS MANAGER,
74-A, PARAMATHI ROAD,
NAMAKKAL DISTRICT. ...1st RESPONDENT/APELLANT

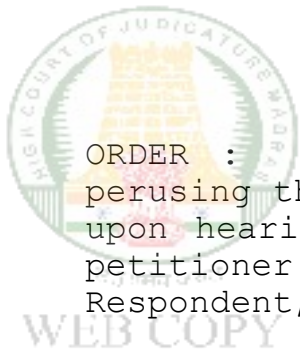
2 N.DIVYA ...2nd RESPONDENT/5th RESPONDENT

(SINCE R2 IS NOT A NECESSARY PARTY
NOTICE MAY BE DISPENSED WITH)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioner to WITHDRAW the award amount which was deposited by the 1st respondent to the credit of M.C.O.P.NO. 69 of 2019 on the file of the Motor Accident Claims Tribunal, Additional Sessions Court, Karur.

PRAYER IN CMA(MD)No.90 of 2020:

To pleased to set aside the Judgment and Decree made in MCOP No. 69 of 2019 dated 24.07.2019 on the file of the Motor Accidents Claims Tribunal, Additional Sessions Court, Karur 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 Mr.K.BALASUBRAMANI, Advocate for the petitioner and of MR.J.S.MURALI, Advocate on behalf of the 1st Respondent, the court made the following order:-

This petition is filed to permit the petitioners to withdraw the amount deposited by the Insurance Company.

2. Being satisfied with the reasons assigned in the affidavit filed in support of this petition, this petition is allowed and the petitioners 1 and 4 are permitted to withdraw 50% of their shares of the award amount deposited to the credit of MCOP.No.69 of 2019 together with proportionate interest and costs on the file of the Motor Accidents Claims Tribunal, Additional Sessions Court, Karur.

3. Post the matter on 27.01.2022.

sd/-
03/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE ADDITIONAL SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
KARUR.

+1. C.C. to MR.J.S.MURALI, Advocate SR.No.36(I)

ORDER
IN
CMP(MD) No.7535 of 2021
IN
CMA(MD) No.90 of 2020
Date :03/01/2022

PKP/JM/SAR-3/06.01.2022/2P/3C