



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

Wednesday, the Tenth day of August Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD)No.6874 of 2022
in
CMA(MD)No.773 of 2022

THE ORIENTAL INSURANCE COMPANY LIMITED,
THROUGH ITS BRANCH MANAGER,
NO.6A,FIRST FLOOR,AVM BUILDING,
NORTH COTTON ROAD,
TUTICORIN.

... PETITIONER/APELLANT

Vs

1 A. ANTONY JENITA,

2 MINOR A.ANISTON
(PETITIONER NO.2 IS REPRESENTED
THROUGH HIS NEXT FRIEND AND
GUARDIAN AND HIS MOTHER AND
RESIDING WITH THE 1ST PETITIONER)

3 M.JOHN MARY
(VIDE I.A.NO.1/19 ORDER DATED
04/12/2019, ADDED AS 2ND RESPONDENT)
(VIDE I.A.2/19 DATED 31/01/2020
PETITION WAS REVISED)

... 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 all further proceedings in the order dated 29/03/2022 in M.C.O.P.No.34/2018 on the file of the Motor Accident Claims Tribunal cum I Additional District Judge, Tuticorin, till the disposal of the revision petition.

Prayer in CMA(MD) . 773/ 2022 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the fair order and decreetal order of the Motor Accidents Claims Tribunal cum I Additional District Judge,Thoothukudi made in M.C.O.P.No.34/2018 dated 29/03/2022 and allow this appeal with cost.



ORDER : This petition coming up for orders on this day, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.E.CHANDRASEKARAN, Advocate for the petitioner, while admitting the Civil Miscellaneous Appeal, 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.34 of 2018, on the file of the Motor Accident Claims Tribunal cum I Additional District Judge, Tuticorin, 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.34 of 2018, on the file of the Motor Accident Claims Tribunal cum I Additional District Judge, Tuticorin, failing which, stay granted shall stand automatically dismissed.

2. This Petition is allowed accordingly.

sd/-

10/08/2022

/ TRUE COPY /

/08/2022

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

TO

THE I ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THOOTHUKUDI.

+1 CC to M/s.E.CHANDRASEKARAN, Advocate (SR-8312[I] dated 10/08/2022

ORDER

IN

CMP(MD)No.6874 of 2022

in

CMA(MD)No.773 of 2022

Date :10/08/2022

Ls

PKP/SVR/SAR-3/18.08.2022/2P/3C