



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Second day of November Two Thousand and
Twenty Two

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.11007 of 2022

in

CMA(MD)No.1083 of 2022

THE NEW INDIA ASSURANCE COMPANY LTD.,
JEROME BUILDING, FORT STATION ROAD,
TRICHY.

... PETITIONER/APELLANT

Vs

1 M.VAHITHA BEGAM

2 M/S.JAYAMURUGAN BUS SERVICE

DOOR NO.120/1, KAVINGAR RAMALINGAM STREET,
NAMAKKAL POST,

NAMAKKAL DISTRICT-637 001.

...RESPONDENTS/RESPONDENTS

(R2 EXPARTE IN TRIBUNAL NOTICE, DISPENSED
WITH)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of interim stay of all further proceedings pursuant to the Award made in MCOP.No. 410 of 2019 dated 18/07/2022 on the file of the Motor Accidents Claims Tribunal, Special Sub Court, Tiruchirappalli, pending disposal of the appeal.

Prayer in CMA(MD) . 1083/ 2022 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the award passed in MCOP.No. 410 of 2019 dated 18/07/2022 on the file of the Motor Accidents Claims Tribunal, Special Sub Court, Tiruchirappalli 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.J.S.MURALI, Advocate for the petitioner, while admitting the Civil Miscellaneous Appeal, the court made the following order:-

Reasons stated in this petition are satisfactory.



2. There shall be an order of Interim Stay, till the disposal of the appeal on condition that the petitioner/appellant deposits the admitted amount i.e., Rs.3,00,000/- (Rupees Three lakhs only) with proportionate interests and costs, awarded in M.C.O.P.No.410 of 2019 on the file of the Motor Accidents Claims Tribunal (Special Sub Court), Tiruchirapalli, within a period of four weeks from the date of receipt of a copy of this order, with proportionate accrued interest, to the credit of M.C.O.P.No.410 of 2019 on the file of the Motor Accidents Claims Tribunal (Special Sub Court), Tiruchirapalli, less any amount already deposited, failing which, interim stay granted shall stand automatically vacated.

3. Hence, this petition is disposed of.

sd/-

22/11/2022

/ TRUE COPY /

/12/2022

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

TO

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

+1. C.C. to M/S.J.S.MURALI Advocate SR.No.13422(I)

ORDER

IN

CMP(MD) No.11007 of 2022
in

CMA(MD) No.1083 of 2022

Date : 22/11/2022

vsd

PKP/BUC/SAR-3/02.12.2022/2P/3C