



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

Friday, the Tenth day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.1325 of 2023

IN

CMA(MD) No.141 of 2023

RELIANCE GENERAL INSURANCE CO. LTD.,
THORUGH ITS BRANCH MANAGER,
HAVING ITS OFFICE AT, NO.184/9B/7,
V.V.D.MAIN ROAD,
NEAR STATE BANK OF INDIA,
TUTICORIN.

...PETITIONER/APPELLANT

Vs

1 V.MUTHURAJ
2 MINOR SANTHYA
3 MINOR MAHALAKSHMI

(MINOR 2ND AND 3RD RESPONDENTS
REPRESENTED THROUGH GUARDIAN
AND NEXT FRIEND THEIR
FATHER MUTHURAJ, 1ST RESPONDENT)

4 M.MARIAPPAN

... RESPONDENTS/RESPONDENTS

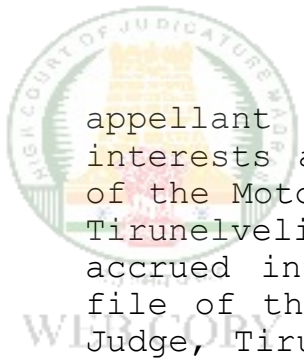
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay the operation of the judgment and decree passed in MCOP.No. 266 of 2018 on the file of the Motor Accident Claims Tribunal I Additional District Judge, Tirunelveli dated 24-06-2022, pending disposal of the above civil miscellaneous appeal and thus render justice.

Prayer in CMA(MD) . 141/ 2023 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the judgment and decree passed in MCOP.No. 266 of 2018 on the file of the Motor Accident Claims Tribunal I Additional District Judge, Tirunelveli dated 24-06-2022 and allow the civil miscellaneous appeal and thus render justice.

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 K.R.SHIVASHANKARI, Advocate for the petitioner the court made the following order:-

There shall be an order of Interim Stay on condition that the



appellant deposits 50% of the award amount with proportionate interests and costs, awarded in M.C.O.P.No.266 of 2018 on the file of the Motor Accidents Claims Tribunal, I Additional District Judge, Tirunelveli, within a period of four weeks with proportionate accrued interest, to the credit of M.C.O.P.No.266 of 2018 on the file of the Motor Accidents Claims Tribunal, I Additional District Judge, Tirunelveli, 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.

sd/-
10/02/2023

/ TRUE COPY /

/02/2023

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

MRN

TO

1 I ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

+1. C.C. to M/S K.R.SHIVASHANKARI Advocate SR.No.1325(I)

ORDER
IN
CMP (MD) No.1325 of 2023
IN
CMA (MD) No.141 of 2023
Date :10/02/2023

VA/BUC/SAR-2/20.02.2023/2P/3C