



C.M.P(MD)No.9269 of 2023

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

Monday, the Thirty First day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

C.M.P(MD)No.9269 of 2023

in

C.M.A(MD)No.683 of 2023

THE BRANCH MANAGER
CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD,
1ST FLOOR, ANNAI PLAZA, NO.5,
KOVAI ROAD, OPP TO AKC PETROL BUNK,
KARUR.

... PETITIONER/ APPELLANT

Vs

1 K.VEMPAYI

2 P.BALASUBRAMANIAN

... 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 dated 29-03-2022 made in M.C.O.P.No.115 of 2019 on the file of the Motor Accident claims Tribunal, Additional District Judge, Karur pending disposal of the above civil miscellaneous appeal and thus render justice.

Prayer in CMA(MD). 683/ 2023 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act to set aside the judgment and decree passed in M.C.O.P.No.115 of 2019 on the file of the Motor Accident Claims Tribunal, Additional District Judge, Karur dated 29-03-2022 and allow the civil miscellaneous appeal and thus render justice.



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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, while admitting the Civil Miscellaneous Appeal, the court made the following order:-

Notice to the respondents returnable in four (4) weeks. Private notice is also permitted.

2. Interim stay on condition that the appellant/Petitioner deposits 50% of the award amount with proportionate accrued interest and costs to the credit of M.C.O.P.No.115 of 2019, on the file of the Motor Accidents Claims Tribunal, Additional District Court, Karur, within a period of four weeks from the date of receipt of a copy of this order, failing which, interim stay granted shall stand automatically vacated without further reference to this Court.

sd/-
31/07/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

indu



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WTO COPY

THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
ADDITIONAL DISTRICT JUDGE, KARUR

COPY TO

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
(CALL FOR RECORDS FROM THE CONCERNED COURT)

+1. C.C. to M/S K.R.SHIVASHANKARI Advocate SR.No.11501

ORDER
IN
C.M.P(MD)No.9269 of 2023
in
C.M.A(MD)No.683 of 2023
Date :31/07/2023

RK/VRS (07/08/2023) 3P /4 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023