



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

Monday, the Twelfth day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.2128 of 2023
in
CMA(MD) No.1205 of 2022

T.SENTHIL KUMAR ... Petitioner / 1st Respondent

Vs

1 THE DIVISIONAL MANAGER,
RELIANCE GENERAL INSURANCE COMPANY LIMITED,
15-A, PLA KANGAGU TOWERS,
2ND FLOOR, 11TH CROSS STREET,
THILLAI NAGAR MAIN ROAD,
TRICHY - 620 018.

... 1st Respondent / Appellant

2 M.GUHAN

... 2nd Respondent / 2nd Respondent

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 deposited in MCOP.No. 944 of 2019 on the file of the Motor Accident Claims Tribunal/Special Sub Court, Madurai, pending disposal of the CMA(MD).No. 1205 of 2022 on the file of this Honourable Court.

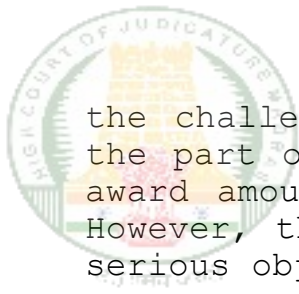
Prayer in CMA(MD). 1205/ 2022 :

To set aside the judgment and decree passed in M.C.O.P.No.944 of 2019 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Madurai dated 06.06.2022 and allow the Civil Miscellaneous Appeal.

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.S.MUTHUKUMAR, Advocate for the petitioner and of M/s.K.R.SHIVASHANKARI, Advocate for the Respondent No.1, the court made the following order:-

This petition has been filed to permit the petitioner to withdraw the award amount deposited in M.C.O.P.No.944 of 2019 on the file of the Motor Accident Claims Tribunal Special Sub Court, Madurai.

<https://www.mhc.tn.gov.in/judis>. The learned counsel for the respondents submitted that



the challenge is made only with regard to the negligence on the part of the second respondent and hence, the entire award amount cannot be permitted to be withdrawn by the claimant. However, the learned counsel for the respondents has not raised any serious objection to withdraw 50% of the award amount.

3. Considering the above submission, the petitioner is permitted to withdraw 50% of the award amount with accrued interest deposited in M.C.O.P.No.944 of 2019 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Madurai.

sd/-
12/06/2023

/ TRUE COPY /

/06/2023

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

TA

To

The Special Sub Judge,
Motor Accident Claims Tribunal,
Madurai.

+1 CC to M/s.S.MUTHUKUMAR, Advocate (SR-8532[I] dated 12/06/2023)

+1 CC to M/s.K.R.SHIVA SHANKARI, Advocate (SR-8567[I] dated 13/06/2023)

ORDER
IN
CMP (MD) No.2128 of 2023
in
CMA (MD) No.1205 of 2022
Date :12/06/2023

ED/BUC/SAR- (19/06/2023) 2P 4C