



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

Friday, the Twentieth day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

C.M.P(MD)No.3868 of 2022
in
C.M.A(MD)No.869 of 2021

1 MAYAKRISHNAN,

2 MUTHURAKKU,

... PETITIONERS/RESPONDENTS 1 & 2
/ RESPONDENTS 1 & 2

Vs

1 THE DIVISIONAL MANAGER,
IFFCO TOKIO GENERAL INSURANCE COMPANY LTD.,
82, PREETHAM PLAZA, FIRST FLOOR, BYPASS,
PONMENI, MADURAI.

...1st RESPONDENT/PETITIONER
/APPELLANT

2 NANJAPPAN,

...2nd RESPONDENT/3rd RESPONDENT
/3rd 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 petitioners to withdraw 50 percentage of awarded amount along with accrued interest and cost in MCOP.No.174 of 2016 on the file of Special District Judge/Motor Accident Claims Tribunal, Madurai..

Prayer in CMA(MD). 869/ 2021 :

To set aside the judgment and decree dt 1st April, 2021 passed in MCOP No. 174 of 2016 on the file of the Special District Judge/Motor Accident Claims Tribunal Judge (incharge) of Madurai by allowing this 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.SARAVANAN, Advocate for the petitioner and of MR.V.SAKTHIVEL, Advocate on behalf of the Respondents the court made the following order:-



(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioners have filed the present Civil Miscellaneous Petition to permit them to withdraw 50% of the award amount along with accrued interest and costs.

2. Heard the learned counsel appearing on either side.

3. Considering the facts and circumstances of the case, the petitioners are permitted to withdraw 25% of the deposited amount of their respective shares with proportionate interest, on filing a proper application before the Tribunal. The balance amount shall be deposited in the Indian Bank, Madurai Bench of Madras High Court Branch, Madurai, as a fixed deposit initially for a period of three years and renewable thereafter, till the disposal of the appeal.

sd/-

20/01/2023

/ TRUE COPY /

/02/2023

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

PS

TO

THE SPECIAL DISTRICT JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL JUDGE
(INCHARGE), MADURAI.

COPY TO
THE BRANCH MANAGER,
INDIAN BANK,
HIGH COURT BRANCH
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.SARAVANAN, Advocate (SR-901[I] dated 20/01/2023)

ORDER

IN

C.M.P (MD) No.3868 of 2022
in

C.M.A (MD) No.869 of 2021

Date :20/01/2023

PKP/BUC/SAR-4/01.02.2023/2P/4C

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