



CMP(MD) No.5788 of 2023

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

Friday, the Twenty Second day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN
and
The Hon`ble Mr.Justice P.B. BALAJI

CMP(MD) No.5788 of 2023
in
CMA(MD)No.1110 of 2022

R. RAVICHANDRAN

... PETITIONER/1st RESPONDENT

Vs

1 NATIONAL INSURANCE COMPANY LIMITED,
BRANCH OFFICE - I, NO.33, PROMENADE ROAD,
CANTONMENT, TRICHY - 620 001.

... 1st RESPONDENT/ APPELLANT

2 M. RAVIKUMAR

... 2nd RESPONDENT/2nd RESPONDENT

Civil Miscellaneous 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 50 percentage of the award amount which was deposited in the credit of M.C.O.P. No. 78 of 2020, on the file of the Motor Accident Claims Tribunal/Third Additional Subordinate Court, Trichirappalli.

Prayer in CMA(MD). 1110/ 2022 :

Civil Miscellaneous Petition filed under section 173 of Motor Vehicles Act to set aside the Judgment and decree passed in M.C.O.P.No.78 of 2020 dated 06.04.2022 on the file of the Motor Accident Claims Tribunal, Third Additional Subordinate Court, Trichirappalli and allow the Appeal with costs.



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ORDER: This Civil Miscellaneous 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.D.BOOPAL, Advocate for the petitioner and of Mr.J.S.MURALI, Advocate on behalf of the 1st Respondent, the Court made the following order:-

It appears that the petitioner/claimant filed the claim petition claiming compensation for the injury sustained by him in the road transport accident. After trial, the tribunal has awarded Rs.23,23,039/-. At the time of admission of the appeal, this Court granted conditional stay on deposit of 50% of the award amount. This petition is filed to withdraw the said amount. Considering the fact that it is a case of injury and the medical expenses is very high, without prejudice to the rights and contentions of both the parties, the petitioner/claimant is permitted to withdraw Rs.9,00,000/- (Rupees nine lakhs only).

sd/-
22/12/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RR

TO

THE THIRD ADDITIONAL
SUBORDINATE JUDGE, MOTOR ACCIDENT CLAIMS
TRIBUNAL, TIRUCHIRAPPALLI.



CMP(MD) No.5788 of 2023

+1 CC to M/s.D.BOOPAL, Advocate (SR-18353[I] dated 22/12/2023)

+1 CC to M/s.J.S.MURALI, Advocate (SR-18342[I] dated 22/12/2023)

ORDER
IN
CMP(MD) No.5788 of 2023
in
CMA(MD)No.1110 of 2022
Date :22/12/2023

SS/JGB/SAR- /28/12/2023/3P/4C

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