



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

Friday, the Seventh day of July Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD) No.7904 of 2023
in
CMA(MD)No.622 of 2023

LIBERTY GENERAL INSURANCE COMPANY LIMITED,
C6,D6,E6,F6 LEVEL,
ANMOLEPAZHANI,
NO.88, G.N.CHETTY ROAD,
CHENNAI - 600 017.

... APPELLANT/2nd RESPONDENT

Vs

1 BALASUNDAR

2 PAVALAKKODI

3 BALASUBRAMANIAN

4 BALAGURU

... RESPONDENTS 1 TO 4/PETITIONERS 1 TO 4

5 BALAKRISHNAN

... 5th RESPONDENT/1st RESPONDENT

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 14-02-2023 made in M.C.O.P.No.128 of 2022 on the file of the Motor Accident claims Tribunal, Principal District Judge, Pudukkottai pending disposal of the above civil miscellaneous appeal.

Prayer in CMA(MD). 622/ 2023 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act to set aside the award passed in M.C.O.P.No.128 of 2022 on the file of the Motor Accident Claims Tribunal (Principal District Judge, Pudukkottai) dated 14-02-2023 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. K.R.SHIVASHANKARI, Advocate for the petitioner while admitting the CMA., the Court made the following order:-



Notice to the respondents returnable by 04.08.2023.
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.128 of 2022, on the file of the Motor Accidents Claims Tribunal, (Principal District Judge), Pudukkottai, within a period of eight 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/-

07/07/2023

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/07/2023

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

TO

THE PRINCIPAL DISTRICT JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL, PUDUKKOTTAI.

+1 CC to M/s.K.R.SIVASHANKARI, Advocate (SR-10347[I] dated
07/07/2023)

ORDER

IN

CMP(MD) No.7904 of 2023

in

CMA(MD)No.622 of 2023

Date :07/07/2023

SS/DD/12/07/2023/2P/3C