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

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

PRESENT

The Hon`ble Dr.Justice ANITA SUMANTH
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD) No.5550 of 2022
in
CMA(MD)No.1156 of 2021

1 JOTHI

2 ARJUNAN

3 MINOR. AMIRTHAJANANI ... PETITIONERS/RESPONDENTS 1 TO 3

(MINOR REPRESENTED BY HER MOTHER AND
NATURAL GUARDIAN, 1st PETITIONER
HEREIN)

Vs

1 THE ORIENTAL INSURANCE COMPANY LIMITED,
THROUGH ITS BRANCH MANAGER,
OFFICE AT VARADHARAJAPURAM,
CUMBUM. ... 1st RESPONDENT/APPELLANT

2 MANIKANDAN,

3 MALAYALAM ... RESPONDENTS 2 & 3/RESPONDENTS 4 & 5

(RESPONDENTS 2 AND 3 HEREIN MADE EX-
PARTE BEFORE THE TRIBUNAL AND HENCE,
THEY MAY BE GIVEN UP)



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 the 50 percentage of the award amount with accrued interest and cost which is lying in the credit of M.C.O.P. No. 134 of 2018 on the file of Motor Accidents Claims Tribunal / First Additional District Court, Tirunelveli.

Prayer in CMA(MD). 1156/ 2021 :

To set aside the order of the Motor Accident claims Tribunal cum I Additional District Court, Tirunelveli made in M.C.O.P. No. 134/2018, dated 30.03.2021 and allow the appeal with costs.

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.V.SASI KUMAR, Advocate for the petitioner and of Mr.C.JAWAHARRAVINDRAN, Advocate on behalf of the 1st Respondent, the Court made the following order:-

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

This petition has been filed seeking withdrawal of 50% of the award amount, which has been directed to be deposited by the Insurance Company by this Court vide order dated 23.12.2021.

2.Learned Counsel appearing for the appellant/Insurance Company expresses no objection for this Court to accede to the request made.

3.Hence, this petition is ordered in terms of the prayer sought. The withdrawal shall be in terms of the shares attributed by the Tribunal, which is 50% by the widow, 25% by the major son and the balance 25% to be deposited in a fixed deposit in an interest bearing account in the name of the minor daughter. The interest amount can



be drawn on behalf of the minor by the widow. Necessary documents be filed in this
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regard before the Tribunal.

sd/-
14/07/2023

/ TRUE COPY /

/08/2023

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

CMR

TO

THE I ADDITIONAL DISTRICT JUDGE
CUM MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

+1 CC to M/s.V.SASI KUMAR, Advocate (SR-10869[I] dated 18/07/2023)

ORDER
IN
CMP(MD) No.5550 of 2022
in
CMA(MD)No.1156 of 2021
Date :14/07/2023

SS/BUC/01/08/2023/3P/3C

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