



CMP(MD) No.12178 of 2023

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

Tuesday, the Nineteenth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD) No.12178 of 2023

IN

CMA(MD) No.859 of 2023

THE ORIENTAL INSURANCE COMPANY LTD,
NO.4, 4TH FLOOR, UIL BUILDING,
ESPLANADE,CHENNAI 108.

... PETITIONER/ APPELLANT

Vs

1 KAMESHWARI

2 MINOR. GOWTHEESWARAN,

3 MINOR. GOWRI RATHNAPARKAVI.

(MINOR PETITIONERS 2 AND 3 ARE REPRESENTED
THROUGH THEIR MOTHER AND GUARDIAN
THE 1st PETITIONER KAMESHWARI)

4 SOUTH INDIA CORPORATION PRIVATE LIMITED,
DOOR NO.603, 6TH FLOOR,
RANISEETHAI HALL,
ANNA SALAI,
CHENNAI 6.

...RESPONDENTS/RESPONDENTS

(RESPONDENT NO.4 GIVEN UP)



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Civil Miscellaneous 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 judgment and decree dated 01.02.2023 in MCOP No.115 of 2016, on the file of the Motor Accident Claims Tribunal cum Additional District Session Court, Periyakulam till the disposal of the appeal.

Prayer in CMA(MD). 859/ 2023 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the order of the Tribunal of MACT cum Additional District Session Court, Periyakulam made in MCOP No.115 of 2016 dated 01.02.2023 and allow the appeal with costs and render justice.

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.C.JAWAHAR RAVINDRAN, Advocate for the petitioner, the court made the following order:-

Heard and perused the records.

2. Considering the facts and circumstances, there shall be an order of interim stay on condition that the petitioner / appellant shall deposit 50% of the award amount together with proportionate interest and costs, to the credit of MCOP No.115



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of 2016 on the file of the Motor Accidents Claims Tribunal / Additional District and Sessions Court, Periyakulam within a period of six weeks from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically without any further reference to this Court.

sd/-
19/09/2023
/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO
THE ADDITIONAL DISTRICT SESSIONS JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
PERIYAKULAM.

COPY TO
THE SECTION OFFICER, (CALL FOR RECORDS)
VR RECORDS,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.12178 of 2023
IN
CMA(MD) No.859 of 2023
Date :19/09/2023

PKP/GB/SAR- /26.09.2023/ 3P/ 3C
Madurai Bench of Madras High Court is issuing certified
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