



CMP(MD) No.11808 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Tuesday, the Twelfth day of September Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice P. VADAMALAI
CMP(MD) No.11808 of 2023
in
CMA(MD) No.838 of 2023

R. DURAIRAJ

... Petitioner / Appellant

Vs

1 T.SHANMUGARAJ

2 THE BRANCH MANAGER
NEW INDIA ASSURANCE COMPANY LIMITED,
NO.147, SALAI STREET,
RAMANATHAPURAM DISTRICT

... Respondents / Respondents

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 the order dated 31.08.2021 passed in MCOP No.13 of 2016 on the file of the Learned Chief Judicial Magistrate Court, Ramanathapuram.

Prayer in CMA(MD). 838/ 2023 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the order dated 31.08.2021 passed in MCOP No.13 of 2016 on the file of the Learned Chief Judicial Magistrate Court, Ramanathapuram by allowing this appeal.

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.H.VELAVADHAS, Advocate for the petitioner and of Mr.I.PINAYGASH, Advocate for the Respondent No.1 and of Mr.A.ILANGO, Advocate for the Respondent No.2, while admitting the civil miscellaneous petitioner, the court made the following order:-



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The learned counsel for the petitioner and the learned counsel for the first and second respondents are present.

2. Heard on both sides.

3. Interim stay of the operation of the impugned order dated 31.08.2021 passed in M.C.O.P.No.13 of 2016 on the file of the Chief Judicial Magistrate Court, Ramanathapuram, is granted on condition that the appellant shall deposit 50% of the award amount together with proportionate interest and cost, on or before 12.10.2023, failing which, the interim stay granted shall stand automatically vacated without further reference to this Court.

sd/-
12/09/2023

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

JEN

To

The Chief Judicial Magistrate,
Ramanathapuram.

Copy to:

The Section Officer,
VR Section,

Madurai Bench of Madras High Court, Madurai. (Call for records)

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ORDER
IN
CMP(MD) No.11808 of 2023
in
CMA(MD) No.838 of 2023
Date :12/09/2023

ED/VR /SAR- (15/09/2023) 3P / 3C

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