



CMP(MD) No.9301 of 2023

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

Monday, the Thirty First day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CMP(MD) No.9301 of 2023

IN

CMA(MD) No.684 of 2023

THE ORIENTAL INSURANCE CO. LTD.,
DIVISIONAL OFFICE,
DOOR NO.24E, 12A,
SIVASAKTHI COMPLEX,
S.N.HIGH ROAD,
TIRUNELVELI JUNCTION,
THROUGH ITS
DIVISIONAL MANAGER

... PETITIONER/ APPELLANT

Vs

1 S.PETCHIAMMAL

2 MINOR.S.VIRAMUTHU

3 MINOR.S.ALAGIANAMBI

4 MINOR.S.MAHALAKSHMI

5 MUTHIAH KONAR

6 VIYARATHAMMAL

(MINOR PETITIONERS 2 TO 4 THROUGH
THEIR MOTHER AND NEXT FRIEND
PETCHIAMMAL THE 1st PETITIONER HEREIN)

<https://www.mmc.tn.gov.in/judis>



CMP(MD) No.9301 of 2023

AS PER ORDER PASSED IN I.A.NO.2/2021
DATED 04.01.2021 THE DECEASED NAME WAS
AMENDED AS SUNDARAM IN LONG CAUSE
TITLE IN CLAIM PETITION.

7 M.MARIAPPAN

... RESPONDENTS/RESPONDENTS

(RESPONDENT NO.7 GIVEN UP)

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 25-11-2022 in M.C.O.P.No.1347 of 2019, on the file of the Motor Accident claims Tribunal cum Principal District Judge, Tirunelveli till the disposal of the appeal.

Prayer in CMA(MD). 684/ 2023 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act to set aside the order of the Tribunal of MACT cum Principal District Judge, Tirunelveli made in M.C.O.P.No.1347 of 2019 dated 25-11-2022 and allow the appeal with costs and render justice.

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.C.JAWAHAR RAVINDRAN, Advocate for the petitioner, While admitting the

Civil Miscellaneous Appeal, the court made the following order:-

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Notice to the respondents returnable in four (4) weeks.

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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.1347 of 2019, on the file of the Motor Accidents Claims Tribunal cum Principal District Court, Tirunelveli, within a period of four 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/-
31/07/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

THE PRINCIPAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

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.9301 of 2023
IN
CMA(MD) No.684 of 2023
Date :31/07/2023

SA/VR/SAR. /07.08.2023/4P/3C

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