



CMP(MD) No.8698 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Civil Appellate Jurisdiction )

Wednesday, the Twenty Sixth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CMP(MD) No.8698 of 2023

IN

CMA(MD) No.406 of 2023

MUTHUKRISHNAN

... PETITIONER/ APPELLANT

Vs

1 CHINNASAMY

2 THE DIVISIONAL MANAGER

UNITED INDIA INSURANCE COMPANY LIMITED,

HAVING OFFICE AT DOOR NO.9/1/2,

RAMAKRISHNAPURAM NORTH,

KARUR TOWN.

... 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 permit



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the petitioner to withdraw the deposited amount with proportionate interest into the credit of M.C.O.P.No.797 of 2017 on the file of the Motor Accident claims Tribunal (Special Subordinate Judge), Dindigul, pending disposal of C.M.A(MD).No.406 of 2023 on the file of this Honourable Court.

Prayer in CMA(MD). 406/ 2023 :

Civil Miscellaneous Appeal Under Section 173 of Motor Vehicle Act, to allow this appeal and enhance the award amount in MCOP.No.797 of 2017 on the file of the Motor Accident Claims Tribunal(Special Subordinate Judge), Dindigul,Dated 30-03-2022, and thus 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.G.KARNAN, Advocate for the petitioner and of Mr.I.SUTHAKARAN, Advocate for the 2<sup>nd</sup> Respondent and none appeared for the 1<sup>st</sup> Respondent side either in person or by an advocate, the court made the following order:-

This petition has been filed to withdraw the entire award amount deposited by the second respondent.

2. Heard the learned counsel for the petitioner and the learned counsel for the second respondent.

3. The learned counsel for the second respondent has no objection to allow this



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petition and the second respondent has not filed any appeal.

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4. I have perused the affidavit filed in support of this petition. The petitioner is permitted to withdraw the entire award amount with accrued interest and costs, by filing appropriate petition before the Tribunal.

5. Accordingly, this petition is allowed.

sd/-  
26/07/2023

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

MBI  
TO

THE SPECIAL SUBORDINATE JUDGE,  
MOTOR ACCIDENT CLAIMS TRIBUNAL,  
DINDIGUL

+1. C.C. to M/S.G.KARNAN Advocate SR.No.11280



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ORDER  
IN  
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IN  
CMA(MD) No.406 of 2023  
Date :26/07/2023

SA/VR/SAR. /03.08.2023/4P/3C

Madurai Bench of Madras High Court is issuing certified  
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