



CMP(MD) No.12159 of 2023

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

Thursday, the Fourteenth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CMP(MD) No.12159 of 2023

AND

CMA(MD) No.857 of 2023

THE ASSISTANT DIRECTOR  
SURVEY AND LAND RECORDS,  
VIRUDHUNAGAR.

... PETITIONER/PETITIONER

Vs

1 P.MADASAMY

2 S.MANIRAJ (DRIVER)

3 SUYAMBUDURAI

... 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 judgement and decree passed in MCOP.No.183 of 2016 dated 24.09.2019 on the file of the Motor Accident Claims Tribunal Chief Judicial magistrate Thoothukudi and thus render justice.

Prayer in CMA(MD). 857/ 2023 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the fair and decretal order in MCOP.No.183 of 2016 dated 24.09.2019 on the file of the Motor Accident Claims Tribunal (Chief Judicial magistrate) Thoothukudi and thus render justice.

**ORDER :** This Civil Miscellaneous Petition coming up for orders on this day, upon  
<https://www.mhc.tn.gov.in/judis>



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perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.BASKARAN, Additional Government Pleader on behalf of the Petitioner and of Mr.T.THIRUMURUGAN, Advocate for the 1<sup>st</sup> Respondent, While admitting the Civil Miscellaneous Appeal, 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 25% of the total award amount together with proportionate interest and costs, to the credit of MCOP No.183 of 2016 on the file of the Motor Accidents Claims Tribunal / Chief Judicial Magistrate, Thoothukudi, 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/-  
14/09/2023

/ TRUE COPY /

15/09/2023  
Sub-Assistant Registrar (C.S. )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP  
TO  
THE CHIEF JUDICIAL MAGISTRATE  
MOTOR ACCIDENTS CLAIMS TRIBUNAL,  
THOOTHUKUDI.



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COPY TO:

THE SECTION OFFICER  
V.R.SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.T.THIRUMURUGAN, Advocate ( SR-13656[I] dated 14/09/2023 )

ORDER  
IN  
CMP(MD) No.12159 of 2023  
AND  
CMA(MD) No.857 of 2023  
Date :14/09/2023

SA/SAR. /15.09.2023/3P/4C  
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.