



C.M.P.(MD) No.11728 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

C.M.P.(MD) No.11728 of 2023

in

C.M.A.(MD) No.831 of 2023

CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LIMITED,
REPRESENTED BY ITS MANAGING DIRECTOR,
OFFICE NO.DARE HOUSE 2ND FLOOR
NO.2,NSC BOSE ROAD,
CHENNAI.

... PETITIONER/ APPELLANT

Vs

1 E.MUTHURANI

2 MINOR.E.SAKKIAMMAL

3 MINOR E.ESAKKIPANDI

4 K.VELAMMAL

A.GIRAHADURAI (DIED),

5.RAMAKRISHNAN,

... 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 fair and decreetal order dated 19.03.2022 made in MCOP No.

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



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526/2015 on the file of the Motor Accident Claims Tribunal, I Additional District Court, Thoothukudi pending disposal of the above CMA.

Prayer in CMA(MD). 831/ 2022 :

Civil Miscellaneous Appeal Under Section 173 of Motor Vehicle Act, to set aside the judgment and decree passed in MCOP.No.82 of 23014 on the file of the Motor Accident Claims Tribunal(Sub Court), Sivakasi dated 04-10-2017 and thus 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.K.R.SHIVASHANKARI, Advocate for the petitioner, while admitting the Civil Miscellaneous Appeal, the court made the following order:-

Interim stay of the operation of the impugned fair and decretal order dated 19.03.2022 made in M.C.O.P.No.526 of 2015 on the file of the Motor Accident Claims Tribunal (I Additional District Court), Thoothukudi, is granted on condition that the appellant Insurance Company shall deposit 50% of the award amount together with proportionate interest and cost, within a period of six weeks from the date of receipt of a copy of this order, 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 I ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
THOOTHUKUDI.



C.M.P.(MD) No.11728 of 2023

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

+1 CC to M/s.K.R.SHIVA SHANKARI, Advocate (SR-13557[I] dated 12/09/2023)

ORDER
IN
C.M.P.(MD) No.11728 of 2023
in
C.M.A.(MD) No.831 of 2023
Date :12/09/2023

PKP/VR/SAR- /19.09.2023/ 3P/4C

Madurai Bench of Madras High Court is issuing certified
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