



CMP(MD) No.9669 of 2022

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

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

PRESENT

The Hon`ble Dr.Justice ANITA SUMANTH
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

C.M.P.(MD)No.9669 of 2022
in
C.M.A.(MD)No.182 of 2022

1 ARUMUGAM

2 DURAIVALLI

3 KUSHPU ... PETITIONERS/ APPELLANTS

Vs

1 K. MANIKAM

2 THE DIVISIONAL OFFICER,
UNITED INDIA INSURANCE COMPANY INDIA LTD,
NO.42, MUD STREET, 1ST FLOOR,KUMBAKONAM,
THANJAVUR DISTRICT.

3 THE MANAGING DIRECTOR,
STATE EXPRESS TRANSPORT CORPORATION,
THIRUVALLUVAR HOUSE, PALLAVAN STREET,
CHENNAI. ... RESPONDENTS



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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 the petitioners herein to withdraw 50 percentage of the amount deposited in MCOP.No.841 of 2015 on the file of the Motor Accidents Claim Tribunal, Pudukottai dated 09-01-2021 along with the accrued interest for the entire deposit till date and thus render justice.

Prayer in CMA(MD). 182/ 2022 :

To call for the records relating to order of award dated 09-01-2019 passed in M.A.C.O.P.No.841/2015 and there by modify and enhance the award amount as prayed in Claim Petition in M.A.C.O.P.No.841/2015 by allowing the civil miscellaneous appeal and pass such further and other orders as this Honourable Court may deem fit 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.A.ARUL JENIFER, Advocate for the petitioner and of MR.C.KARTHIK, Advocate for the Respondent No.2 the court made the following order:-

(Order of the Court was made by DR.ANITA SUMANTH, J.)

Mr.A.Arul Jenifer, learned counsel appearing for the petitioner foresees no difficulty in withdrawing the amount deposited by the Insurance Company, since the compensation and award dated 09.01.2019 has attained finality and the Insurance Company has also accepted the same. We concur with his submission as aforesaid and permit that necessary steps may be taken for withdrawal of the amount before the Tribunal by the claimants.



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2. Learned counsel appearing for the petitioner thus does not pursue this petition and makes an endorsement to that effect. This Civil Miscellaneous Petition is hence closed as not pressed.

3. Liberty is granted to the petitioner to move a petition for early hearing citing emergent circumstances, if any, arising in this matter.

3. Let a set of the papers be served on Mr.C.Karthik, learned counsel, who appears for the Insurance Company.

sd/-
21/09/2023

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

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TO

THE MOTOR ACCIDENTS CLAIM TRIBUNAL,
PUDUKOTTAI



CMP(MD) No.9669 of 2022

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THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
C.M.P.(MD)No.9669 of 2022
in
C.M.A.(MD)No.182 of 2022
Date :21/09/2023

RK/GB (25/09/2023) 4P / 3C

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