



CMP(MD) No.10860 of 2023

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

Tuesday, the Twenty Ninth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CMP(MD) No.10860 of 2023

IN

CMA (MD) No.773 of 2023

THE BRANCH MANAGER,
TATA AIG GENERAL INSURANCE COMPANY LTD.,
SECOND FLOOR, PREMIER TOWER,
NO.2 AND 3, LAKSHMI VILAS STREET,
KUMBAKONAM.

... PETITIONER/ APPELLANT

Vs

1 MANJULA

2 MINOR.SUVETHA,

3 MINOR.SAI PRASATH,

(MINOR RESPONDENTS 2 AND 3 ARE
REPRESENTED BY THEIR MOTHER AND NATURAL
GUARDIAN, 1st RESPONDENT MANJULA)

4 STELLA MARY,

AMULRAJ(DIED)

5 ROBERT,

6 RAJESH,



CMP(MD) No.10860 of 2023

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7 THE BRANCH MANAGER,
RELIANCE GENERAL INSURANCE COMPANY LTD.,
AVS TOWER, R.S.NO.181/2,
100 FEET ROAD,
SUNDARRAJA NAGAR,
MUDALIYARPETTAI,
PUDUCHERRY.

... 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 grant Interim Stay of all further proceedings pursuant to the Judgment and Decree dated 07.03.2023 made in M.C.O.P.No.301 of 2019 on the file of the Motor Accidents Claims Tribunal, Principal Subordinate Court, Kumbakonam, pending disposal of the appeal.

Prayer in CMA(MD). 773/ 2023 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the Judgment and Decree made in M.C.O.P.No.301 of 2019 dated 07.03.2023 on the file of the Motor Accidents Claims Tribunal, Principal Subordinate Court, Kumbakonam and allow the appeal with costs 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.J.S.MURALI, Advocate for the petitioner, While admitting the Civil Miscellaneous Appeal, the court made the following order:-

Interim stay is granted on condition that the Petitioner/Appellant deposits 35% of the total award amount with proportionate accrued interest and costs to the credit



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of M.C.O.P.No.301 of 2019, on the file of the Motor Accident Claims, Principal Subordinate Court, Kumbakonam, within a period of six 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/-
29/08/2023

/ TRUE COPY /

31/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SN
TO
THE PRINCIPAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL, KUMBAKONAM.
COPY TO:

1 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.(CALL FOR RECORDS)

2 THE SECTION OFFICER V.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.(CALL FOR RECORDS)

+1 CC to M/s.J.S.MURALI, Advocate (SR-12939[I] dated 30/08/2023)

ORDER IN
CMP(MD) No.10860 of 2023 IN
CMA (MD) No.773 of 2023
Date :29/08/2023

SA/VR/SAR. /31.08.2023/3P/5C

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