



CMP(MD) No.10630 of 2023

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

Wednesday, the Twenty Third day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD) No.10630 of 2023

in

CMA(MD)No.754 of 2023

THE COMMISSIONER OF POLICE,
COMMISSIONER OFFICE,
ALAGAR KOIL ROAD,
MADURAI CITY, MADURAI.

... PETITIONER/ APPELLANT

Vs

1 P.GURUVAMMAL

2 M.SOUNDARAPANDIAN,

... 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 all further proceedings of the Award made in MCOP No.324/2017 dated 20.01.2022 on the file of Learned IV Additional Sub Court/Motor Accident Claims Tribunal, Madurai pending disposal of the above Civil Miscellaneous appeal.

Prayer in CMA(MD). 754/ 2023 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the Award dated 20.01.2022 passed in MCOP No.324/2017, on the file of Learned IV Additional Sub Court/Motor Accident Claims Tribunal at Madurai and allowing the present Civil Miscellaneous Appeal.



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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 MR.A.BASKARAN, Additional Government Pleader for the petitioner and of Mr.S.M.MOHAN GANDHI, Advocate on behalf of the 1st Respondent, the Court made the following order:-

The learned counsel appearing for the petitioner and the learned counsel for the first respondent are present.

2. Interim stay on condition that the appellant / petitioner deposits the entire award amount with proportionate accrued interest and costs to the credit of M.C.O.P.No.324 of 2017, on the file of the Motor Accidents Claims Tribunal, Madurai within a period of ten 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.

3. The learned counsel for the petitioner has no objection to permit the first respondent to withdraw 50% of the award amount.



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4. Therefore, on such payment being made, the first respondent / claimant is permitted to withdraw 50% of the deposited amount with proportionate accrued interest and costs by filing appropriate application before the Tribunal.

sd/-
23/08/2023

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/01/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI
TO

THE IV ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURAI.

+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-12664[I] dated 23/08/2023)

ORDER
IN
CMP(MD) No.10630 of 2023
in
CMA(MD)No.754 of 2023
Date :23/08/2023

SS/SAR- /04/01/2024/3P/3C

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