



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

Friday, the Twenty Seventh day of January Two Thousand and Twenty
Three

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PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD) No.10144 of 2022
IN
CMA(MD) No.710 of 2022

1 MUMTAJ BEGAM
2 ASILINA BEGAM
3 RALINA BEGAM
4 FATHIMA BEEVI @ OLINA BEGAM ... PETITIONERS/RESPONDENTS 1 TO 4

Vs

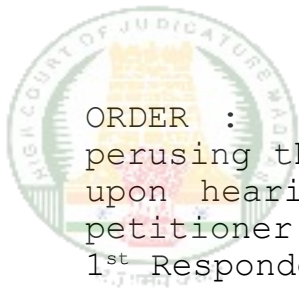
1 THE BRANCH MANAGER
RELIANCE GENERAL INSURANCE COMPANY LTD,
SRI MEENAKSHI PLAZA, I FLOOR, NO.HIG 55,
80 FEET ROAD, ANNA NAGAR,
MADURAI-625 020. ... 1ST RESPONDENT/APPELLANT

2 THE CORRESPONDENT
KRISHNA INTERNATIONAL SCHOOL,
SAKKARAVANALLOOR,
ECR, DEVIPATTANAM,
RAMANATHAPURAM - 623 514,
RAMANATHAPURAM DISTRICT. ... 2ND RESPONDENT/5TH RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit all the petitioners 1 to 4 herein to withdraw the 50 percentage of the deposited award amount with accrued interest and costs, which was deposited by the appellant / 1st respondent / Insurance company in M.C.O.P.No.652 of 2017 on the file of the Motor Accident Claims in Tribunal, the Special District Court, Madurai and now available in Indian Bank, Madurai Branch of Madras High Court in the credit of C.M.A.(MD).No.710 of 2022.

Prayer in CMA(MD). 710/ 2022 :

To set aside the order passed in MCOP.No.652 of 2017 on the file of the Motor Accident Claims Tribunal(Special District Judge), Madurai District, dated 13-12-2021.



ORDER : This petition coming up for orders on this case, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.MUTHUMALAI, Advocate for the petitioner and of M/S.K.R.SHIVASHANKARI, Advocate on behalf of the 1st Respondent, the court made the following order:-

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(Order of the Court was made by D.KRISHNAKUMAR, J.)

This petition is filed to permit the petitioners 1 to 4 to withdraw 50% of the deposited award amount with accrued interest and costs, which was deposited by the 1st respondent / appellant / Insurance Company in M.C.O.P.No.652 of 2017 on the file of the Motor Accident Claims Tribunal, the Special District Court, Madurai and now available in Indian Bank, Madurai Bench of Madras High Court to the credit of C.M.A.(MD)No.710 of 2022.

2.The learned counsel appearing for the first respondent submitted that as per the order of this Court dated 25.07.2022, entire award amount has been deposited and she has no objection to permit the petitioners to withdraw 50% of the deposited award amount.

3.Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed and the petitioners 1 to 4 are permitted to withdraw 50% of the deposited award amount from their respective shares, as apportioned by the Tribunal, with accrued interest and costs, on filing appropriate application.

4.Since the appeal has been filed as against the quantum alone, Registry is directed to post the appeal before the Lok Adalat.

sd/-

27/01/2023

/ TRUE COPY /

/02/2023

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

vsm

TO

1 THE MOTOR ACCIDENT CLAIMS TRIBUNAL, SPECIAL DISTRICT COURT,
MADURAI.

2 THE BRANCH MANAGER, INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



CMP(MD) N



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COPY TO

THE OFFICER INCHARGE, LOK ADALAT, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.MUTHUMALAI, Advocate (SR-1403[I] dated 30/01/2023)

+1 CC to M/s.K.R.SHIVASHANKARI, Advocate (SR-1424[I] dated 30/01/2023)

ORDER

IN

CMP(MD) No.10144 of 2022

IN

CMA(MD) No.710 of 2022

Date :27/01/2023

RS/VR/SAR.4(07.02.2023) 3P-6C