



CMP(MD) No.8710 of 2023

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

Monday, the Twenty Fourth day of July Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice P. VADAMALAI
CMP(MD) Nos.8710, 8711, 8713 & 8714 of 2023
in
CMA(MD) Nos.670 to 673 of 2023

BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LTD.,,
THROUGH ITS MANAGER,
NO.497/498, 5TH FLOOR,
ESANA KATTIMA BUILDING,
BUNTHAMALLI HIGH ROAD,
ARUMBAKKAM,
CHENNAI - 106.

... PETITIONER/ APPELLANT
IN ALL CMP's

Vs

1 B.F.BANUMAHI
2 VINOTH KUMAR
3 KANNAIYAN

... RESPONDENTS/RESPONDENTS
IN CMP(MD).8710/2023 IN CMA(MD).673/2023

1 B.F.SENTHILRAJA
2 VINOTH KUMAR
3 KANNAIYAN

... RESPONDENTS/RESPONDENTS
IN CMP(MD).8711/2023 IN CMA(MD).672/2023

1 B.F.SATHYABALA
2 VINOTH KUMAR
3 KANNAIYAN

... RESPONDENTS/RESPONDENTS
IN CMP(MD).8713/2023 IN CMA(MD).671/2023

1 MINOR C.KATRIN SONA
REPRESENTED THROUGH HER MOTHER AND GUARDIAN
SATHYABALA

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



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2 VINOTH KUMAR
3 KANNAIYAN

... RESPONDENTS/RESPONDENTS
IN CMP(MD).8714/2023 IN CMA(MD).670/2023

Prayer in CMP(MD).8710/2023 in CMA(MD).673/2023 :

To pass an order of stay the operation of the judgment and decree dt 22.06.2022 passed in MCOP No. 56 of 2015 on the file of the Motor Accident Claims Tribunal/ Subordinate Judge of Thoothukudi.

Prayer in CMA(MD). 673/ 2023 :

To set aside the judgment and decree dt 22.06.2022 passed in MCOP No. 56/2015 on the file of the Motor Accident Claims Tribunal/ Subordinate Judge of Thoothukudi by allowing this appeal.

Prayer in CMP(MD). 8711/ 2023 in CMA(MD).672/2023 :

To pass an order of stay the operation of the judgment and decree dt 22.06.2022 passed in MCOP No. 55 of 2015 on the file of the Motor Accident Claims Tribunal/ Subordinate Judge of Thoothukudi.

Prayer in CMA(MD). 672/ 2023 :

To set aside the judgment and decree dt 22.06.2022 passed in MCOP No. 55 of 2015 on the file of the Motor Accident Claims Tribunal/ Subordinate Judge of Thoothukudi by allowing this appeal.

Prayer in CMP(MD). 8713/ 2023 in CMA(MD).671/2023 :

To pass an order of stay the operation of the judgment and decree dt 22.06.2022 passed in MCOP No. 53 of 2015 on the file of the Motor Accident Claims Tribunal/ Subordinate Judge of Thoothukudi.

Prayer in CMA(MD). 671/ 2023 :

To set aside the judgment and decree dt 22.06.2022, passed in MCOP No. 53 of 2015 of the Motor Accident Claims Tribunal/ Subordinate Judge of Thoothukudi by allowing this appeal.

Prayer in CMP(MD). 8714/ 2023 in CMA(MD).670/2023 :

To pass an order of stay the operation of the judgment and decree dt 22.06.2022 passed in MCOP No. 52 of 2015 on the file of the Motor Accident Claims Tribunal/ Subordinate Judge of Thoothukudi.



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Prayer in CMA(MD). 670/ 2023 :

To set aside the Judgment and decree dt 22.06.2022 passed in MCOP No. 52/2015 on the Motor Accident Claims Tribunal / Subordinate Judge of Thoothukudi by allowing this appeal.

COMMON ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.SAKTHIVEL, Advocate for the petitioner in all CMP's, while admitting the all Civil Miscellaneous Appeal, the court made the following order:-

Interim stay on condition that the appellant/Petitioner deposits 50% of the award amount with proportionate accrued interest and costs to the credit of M.C.O.P.Nos.52, 53, 55 and 56 of 2015, on the file of the Motor Accidents Claims Tribunal/Subordinate Judge of Thoothukudi, within a period of four 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. If such deposit is made, the first respondent is permitted to withdraw the 50% of the deposited amount (i.e) 25% of the award amount with proportionate accrued interest and costs.

sd/-
24/07/2023

/ TRUE COPY /

26/07/2023

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

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CMP(MD) No.8710 of 2023

TO

THE MOTOR ACCIDENTS CLAIMS TRIBUNAL /
SUBORDINATE JUDGE,
THOOTHUKUDI.

ORDER

IN

CMP(MD) Nos.8710, 8711, 8713 & 8714 of 2023

in

CMA(MD) Nos.670 to 673 of 2023

Date :24/07/2023

RS//SAR-(26.07.2023) 4P 2C

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