



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

Thursday, the Nineteenth day of January Two Thousand and Twenty
Three

PRESENT

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

CMP(MD) No.12935 of 2022
IN
CMA(MD) No.233 of 2022

MANIRETHINAM

... PETITIONER/2nd RESPONDENT

Vs

1 AKILA

2 PRAKASH PRABU

3 THE ORIENTAL INSURANCE COMPANY LIMITED,,
3607/21, II FLOOR,
SSTHYAMOORTHY ROAD, PUDUKOTTAI - 622001.

NATESAN (DIED) ... RESPONDENTS 1 TO 3/RESPONDENTS 1,3 & 4

4 THE MANAGING DIRECTOR,
TAMIL NADU STATE EXPRESS TRANSPORT CORPORATION,
ANNASALAI, CHENNAI. ... 4TH RESPONDENT/APELLANT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioner to withdraw the amount deposited as apportioned to petitioner by the 4th respondent into the credit of M.C.O.P. No. 64 of 2013 before the Motor Accident Claims Tribunal/Special District Court, Trichy pending disposal of the above C.M.A. (MD). No. 233 of 2022.

Prayer in CMA(MD). 233/ 2022 :

To SET ASIDE the impugned award passed in MCOP no. 64 of 2013, on the file of MACT (Special District Court), Tiruchirapalli dated 31.10.2019.

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.T.LENIN KUMAR, Advocate for the petitioner and of Mr.A.ILANGO, Advocate on behalf of the 4th Respondent, the Court made the following order:-

<https://www.mcaonline.in>



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

This petition has been filed by the petitioner/claimant to permit him to withdraw his share in the award amount deposited by the 4th respondent/appellant.

2. By order dated 16.03.2022, interim stay was granted subject to the condition that the 4th respondent/appellant shall deposit the entire award amount to the credit of the claim petition within a period of eight weeks.

3. It is stated that the aforesaid conditional order is complied with by the 4th respondent/appellant.

4. Considering the reasons stated in the supporting affidavit, this petition is allowed and the petitioner is permitted to withdraw 50% of his share along with accrued interest, by filing appropriate application before the Tribunal. The balance amount shall be kept in the Nationalised Bank in Fixed deposit as directed by this Court till the disposal of this appeal.

sd/-

19/01/2023

/ TRUE COPY /

/02/2023

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

TO

THE SPECIAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUCHIRAPALLI.

ORDER

IN

CMP (MD) No.12935 of 2022

IN

CMA (MD) No.233 of 2022

Date :19/01/2023

SS/BUC/SAR-II/31.01.2023/2P/2C