



CMP(MD)



23

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

Monday, the Thirtieth day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.899 of 2023
IN
CMA(MD) No.80 of 2023

THE DIVISIONAL MANAGER
THE ORIENTAL INSURANCE COMPANY,
HAVING ITS OFFICE AT JOTHI SUPER BAZAAR,
THODUPUZHA, KERALAS PIN CODE-685 504.
(REPRESENTED THROUGH ITS BRANCH OFFICE,
THE ORIENTAL INSURANCE COMPANY, MADURAI) ... PETITIONER/APPELLANT

Vs

1 KARUPPASAMY

2 MINOR KAVIPRIYA

3 MINOR SARAVANAKUMAR

4 MINOR KANIPRIYA

(2nd TO 4th MINOR PETITIONERS REPRESENTED THROUGH
THEIR NATURAL GUARDIAN AND FATHER 1st PETITIONER)

5 KANNAN

6 MURUGAMMAL ... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay all further proceedings in the order dated 08-07-2022 in MCOP.No. 67/2020 on the file of the Motor Accident Claims Tribunal cum Sub Judge, Aruppukottai, till the disposal of this appeal.

Prayer in CMA(MD) . 80/ 2023 :

To set aside the order of the Motor Accident Claims Tribunal cum Sub Judge, Aruppukottai made in MCOP.No. 67/2020 dated 08-07-2022 and allow this appeal with cost.



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 E.CHANDRASEKARAN, Advocate for the petitioner, While admitting the CMA., the court made the following order:-

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There shall be an order of Stay on condition that the petitioner/ appellant shall deposit 50 % of the award amount with proportionate interests and costs, awarded in M.C.O.P.No.67 of 2020, on the file of the Motor Accident Claims Tribunal cum Sub Judge, Aruppukottai, within a period of four weeks from the date of this order, after deducting the amount already deposited by him, to the credit of M.C.O.P.No.67 of 2020, on the file of the Motor Accident Claims Tribunal cum Sub Judge, Aruppukottai, failing which, stay granted shall stand automatically dismissed.

2. This Petition is allowed accordingly.

sd/-

30/01/2023

/ TRUE COPY /

/02/2023

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

LS

TO

THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
ARUPPUKOTTAI.

+1. C.C. to M/S E.CHANDRASEKARAN Advocate SR.No.1366

ORDER

IN

CMP (MD) No.899 of 2023

IN

CMA (MD) No.80 of 2023

Date :30/01/2023

SA/SSS/SAR.2/06.02.2023/2P/3C