



C.R.P. No. 4034 of 2017

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 14.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE BATTU DEVANAND**

C.R.P. No. 4034 of 2017

and

C.M.P. Nos. 18871 & 22597 of 2017

Palanivel

... Petitioner

Vs.

1.Mala @ Malathy

Ramasamy (Died)

2.Gunasekaran

3.The Branch Manager,  
United India Insurance Company Ltd.,  
Cuddalore.

4.Alavandar (Died)

5.Rajrdran

6.Vasantha

7.Manivannan

8.Vallavasu

9.Sugantha

... Respondents

[Respondents 6 to 9 are brought on record as Lrs of the  
deceased R4 viz., Alavandar vide order dated 20.03.2024]

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C.R.P. No. 4034 of 2017

Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to set aside the fair and decreetal order dated 01.02.2017 made in E.P. No. 145 of 2011 in M.C.O.P. No. 336 of 1995 on the file of Subordinate Court, Chidambaram.

For Petitioner : Mr. V. Raghupathy

For Respondents : Mr. R. Sethuvarayan, for R1  
Mr. N. Krishnamoorthy, for R3

### **ORDER**

This Civil Revision Petition has been filed against the order dated 01.02.2017 in E.P. No. 145 of 2011 in M.C.O.P. No. 336 of 1995 on the file of Subordinate Court, Chidambaram.

2. During the course of hearing, the learned counsel appearing for the petitioner submits that entire outstanding amount of Rs.4,49,472/- was credited into the account of the MCOP in the tribunal.

3. Learned counsel for the respondents also endorsed the same.



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4. Now it is for the claimants to take appropriate steps to withdraw the amount laying in the M.C.O.P., account in the tribunal by following appropriate procedure and they are entitled to withdraw the entire amount of Rs,4,49,472/-.

5. In view of the above factual position, the order dated 01.02.2017 made in E.P. No. 145 of 2011 in M.C.O.P. No. 336 of 1995 on the file of Subordinate Court, Chidambaram is hereby set aside.

6. In the result, the present Civil Revision Petition is allowed.

7. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

**14.08.2024**

Index : Yes / No

Neutral Citation : Yes / No

AT

To

The Subordinate Court, Chidambaram.

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**BATTU DEVANAND, J.**

AT

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