



CMP(MD) No.2226 of 2024

WEB COPY

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

Monday, the Fifteenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CMP(MD) No.2226 of 2024
in
CMA(MD)No.904 of 2023

1 SARASAM,

2 JEENA MOL

3 JISHA MOL

4 ILARISH ATHEINA ... PETITIONERS/RESPONDENTS
(REPRESENTED BY HER GUARDIAN/
GRANDMOTHER SARASAM, W/O SELVARAJ)

Vs

1 THE ORIENTAL INSURANCE COMPANY LTD,,
REPRESENTED BY ITS BRANCH MANAGER,
BRANCH OFFICE, KOLLEMCODE,
CHOTHI SREE COMPLEX,
KANNANAGAM JUNCTION,
KOLLEMCODE VILLAGE & POST,
VILAVANCODE TALUK,
KANYAKUMARI DISTRICT.

... 1st RESPONDENT/ APPELLANT

2 ANILKUMAR

3 SELVARAJ,



CMP(MD) No.2226 of 2024

4 THE ORIENTAL INSURANCE COMPANY LTD.,
REP BY ITS MANAGER,
1ST FLOOR DDJ CENTRE OPP.,
VEDASERY BUS STAND, NAGERCOIL,
KANYAKUMARI DISTRICT.

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to withdraw the award amount deposited by the 1st respondent / appellant in M.C.O.P.No.83 of 2019 on the file of the learned Motor Accident Claims Tribunal cum Subordinate Judge, Kuzhithurai Kanniyakumari District an amount of Rs.17,27,016/- vide U.T.R.No.KKBKR2203110310375191 dated 03-011-2023 with accrued interest.

Prayer in CMA(MD). 904/ 2023 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to modify the award dated 03.01.2023 made in MCOP.No.83 of 2019 on the file of learend Sub court for MCOP Cases, Kuzhithurai Kanyakumari District.

ORDER : This Civil Miscellaneous 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 Mr.ANANTH C RAJESH, Advocate for the petitioner and of Mr.A.ILANGO, Advocate on behalf of the 1st Respondent and Mr.S.SIVAKUMAR, Advocate for the respondents 5 & 6, the Court made the following order:-

This petition has been filed to withdraw the award amount deposited by the 1st respondent/appellant in M.C.O.P.No.83 of 2019 on the file of the learned Motor Accident Claims Tribunal cum Subordinate Judge, Kuzhithurai, Kanniyakumari District, an amount of Rs.17,27,016/- vide U.T.R.No.KKBKR2203110310375191 dated 03-011-2023 with accrued interest.



CMP(MD) No.2226 of 2024

WEB COPY

2.Considering the facts and circumstances of the case, the petitioner is permitted to withdraw 50% of the deposited amount. Accordingly, this petition is allowed.

3.List the main appeal for final disposal on 29.04.2024.

sd/-
15/04/2024

/ TRUE COPY /

/04/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO
THE SUBORDINATE JUDGE FOR MCOP CASES,
KUZHITHURAI, KANYAKUMARI DISTRICT.

ORDER
IN
CMP(MD) No.2226 of 2024
in
CMA(MD)No.904 of 2023
Date :15/04/2024

SS/GS/SAR- /18/04/2024/3P/2C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023