



CMP(MD) No.3976 of 2024

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

Wednesday, the Twentieth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.3976 of 2024

in

CMA(MD)No.51 of 2024

H.BASITH RAHMAN

... PETITIONER/ APPELLANT

Vs

1 S.A.CERIL RIYAZ

2 THE CHOLAMANDALAM MS GENERAL INSURANCE CO., LTD.,,
THROUGH ITS GENERAL MANAGER,
REGISTERED AND HEAD OFFICE,
DARE HOUSE,
2ND FLOOR, NO.2, N.S.C.BOSE ROAD,
CHENNAI 2

... 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 permit the petitioner to withdraw the 50 percent of the deposited amount in MCOP.No.1102 of 2018 on the file of IV Additional Sub Judge, Madurai.

Prayer in CMA(MD). 51/ 2024 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the award passed in MCOP No.1102 of 2018 dated 03.08.2023 on the file of the learned IV Additional Sub Judge, Madurai (Motor Accident Claims Tribunal) and enhance the same.



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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 M/S.J.M.HASSANUL BAZARI, Advocate for the petitioner and of Mr.R.V.RAJKUMAR, Advocate for the 1st respondent and MR.K.R.SHIVASHANKARI, Advocate on behalf of the 2nd Respondent, the Court made the following order:-

This petition has been filed to permit the petitioner to withdraw 50% of the deposited amount in M.C.O.P.No.1102 of 2018 on the file of the IV Additional Sub Court, Madurai.

2. Considering the reasons stated in the affidavit filed in support of the petition, this petition is allowed and the petitioner is permitted to withdraw 50% of the deposited amount, as per Law.

3. Mr.R.V.Raj Kumar, the Learned counsel takes notice for R-1.

4. M/s.K.Shiva Shankari, the Learned Counsel takes notice for R-2.

5. Post the matter in the 2nd week of April 2024.

sd/-
20/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA



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TO
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THE IV ADDITIONAL SUB JUDGE,
(MOTOR ACCIDENT CLAIMS TRIBUNAL)
MADURAI.

+1 CC to M/s.J.M.HASSANUL BAZARI, Advocate (SR-3475[I] dated 21/03/2024)

ORDER
IN
CMP(MD) No.3976 of 2024
in
CMA(MD)No.51 of 2024
Date :20/03/2024

SS/VR/SAR- /22/03/2024/3P/3C

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