



CMP(MD) No.4781 of 2023

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

Friday, the Twenty Sixth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CMP(MD) No.4781 of 2023

in

CMA(MD)NO. 818 of 2022

1 PARIPOORANAM

2 GANESAPANDI

**3 MUTHUVEL ... PETITIONERS/RESPONDENT NOS. 1 TO 3/
RESPONDENT NOS. 1 TO 3**

Vs

**1 M/S.UNITED INDIA INSURANCE COMPANY LIMITED,
THROUGH ITS DIVISIONAL MANAGER,
NO.81C,WEST GREAT COTTON ROAD,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT. ...1st RESPONDENT/PETITIONER
/ APPELLANT**

**2 M/S.INDUSTRIAL MINERAL COMPANY (FIRM),
NO. 1/1C,HARBOR EXPRESS HIGHWAYS ROAD,
THERMAL NAGAR,THOOTHUKUDI,
THOOTHUKUDI DISTRICT. ...2nd RESPONDENT/4th RESPONDENT
/ 4th RESPONDENT**

**3 HARRIS ... 3rd RESPONDENT/5th RESPONDENT
/5th RESPONDENT**



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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 petitioners herein to withdraw the award amount that has deposited in the MCOP.No.1812 of 2017 on the file of the Motor Accident Claims Tribunal (1st Additional District Court, Tirunelveli) pending disposal of the above civil miscellaneous appeal.

Prayer in CMA(MD). 818/ 2022 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to allow this memorandum of civil miscellaneous petition against fair and decreetal order dated 23-02-2022 made in MCOP.No.1812 of 2017 on the file of the Motor Accident Claims Tribunal (1st Additional District Court, Tirunelveli).

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.M.P.SENTHIL, Advocate for the petitioner and of MR.B.RAJESH SARAVANAN, Advocate on behalf of the 1st Respondent, the court made the following order:-

Even though, liability is under dispute by the appellant, the award amount has been deposited by the appellant.

2. Therefore, this Civil Miscellaneous Petition is allowed and the petitioners are directed to withdraw 50% of the award amount deposited by the appellant.



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3. List the main Civil Miscellaneous Appeal on 11.06.2024.

sd/-
26/04/2024

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/05/2024
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

THE I ADDITIONAL DISRICT JUDGE
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUNELVELI.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-5014[I] dated 29/04/2024)

ORDER
IN
CMP(MD) No.4781 of 2023
in
CMA(MD)NO. 818 of 2022
Date :26/04/2024

PKP/VR/SAR /07.05.2024/ 3P/ 3C

Madurai Bench of Madras High Court is issuing certified
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