



CMP(MD) No.7956 of 2024

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

Thursday, the Twenty Fourth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

CMP(MD) No.7956 of 2024

in

CMA(MD) No.217 of 2024

DINESH

... Petitioner / 1st Respondent

Vs

1 UNITED INDIA INSURANCE COMPANY LIMITED,
MICRO OFFICE,
NO.1/45 B-6, 2ND FLOOR,
JPC BUILDING,
COLCHEL ROAD,
MONDAY MARKET,
REPRESENTED BY ITS MANAGER.

2 RAJESH

3 THE ORIENTAL INSURANCE COMPANY LIMITED,,
NO. 25-44 D3 MAIN ROAD,
NEAR CSI MISSION HOSPITAL,
MARTHANDAM,
NALLOOR VILLAGE,
VILAVANCODE TALUK,
KANYAKUMARI DISTRICT.
REPRESENTED BY ITS MANAGER

4 GODWIN SAM

... Respondents Respondents



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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 petitioner / 1st respondent in the appeal to withdraw the award amount in MCOP. No. 92 of 2014 on the file of Motor Accident Claims Tribunal, Sub Court, Kuzhithurai pending disposal of the appeal.

Prayer in CMA(MD). 217/ 2024 :

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act to set aside the order of the Tribunal of MACT cum Subordinate Judge, Kuzhithurai made in M.C.O.P.No.92 of 2014 dated 05-08-2023 and allow the appeal with cost.

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.C.GODWIN, Advocate for the petitioner, the Court made the following order:-

This Civil Miscellaneous Petition has been filed to permit the petitioner / 1st respondent / claimant to withdraw the award amount in MCOP No.92 of 2014 on the file of the Motor Accident Claims Tribunal / Sub Court, Kuzhithurai, pending disposal of the appeal.

2. The learned counsel appearing for the appellant Insurance Company would submit that the appeal challenges the quantum of compensation on the ground that multiplier method ought not to have been adopted for payment of compensation and that the admitted liability is Rs.6,00,000/- and the appellant Insurance Company has already deposited 50% of the award amount, which is more than Rs.6,00,000/-.



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3. The petitioner / 1st respondent / claimant is permitted to withdraw the admitted liability of Rs.6,00,000/- with accrued interest on filing suitable application before the Tribunal. Accordingly, this Civil Miscellaneous Petition is allowed.

sd/-
24/10/2024

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/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SM

To

The Subordinate Judge,
Motor Accident claims Tribunal,
Kuzhithurai.

+1 CC to M/s.C.GODWIN, Advocate (SR-13085[I] dated 24/10/2024)

ORDER
IN
CMP(MD) No.7956 of 2024
in
CMA(MD) No.217 of 2024
Date :24/10/2024

ED/ JGB /SAR- (06/11/2024) 3P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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