



CMP(MD) No.8861 of 2024

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

Monday, the Twenty Ninth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CMP(MD) No.8861 of 2024

IN

CMA(MD) No.404 of 2024

1 MALA

2 NITHYA PRIYA

... PETITIONERS/RESPONDENTS/PETITIONERS

Vs

1 SAHUL HAMEED

2 NATIONAL INSURANCE COMPANY LIMITED,
THROUGH ITS BRANCH MANAGER,
OFFICE AT NO.6, WEST MASI STREET,
MADURAI-625 001

3 NATIONAL INSURANCE COMPANY LIMITED,
THROUGH ITS DIVISIONAL MANAGER,
OFFICE AT NO.37C, S.N.HIGH ROAD,
TIRUNELVELI.

... RESPONDENTS/APPELLANTS/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 Petitioners to withdraw 50 per cent of the awarded amount with accrued interest deposited to the credit of MCOP No.1291 of 2021 on the file of the Motor Accidents Claims Tribunal/Learned District Judge, Tirunelveli, pending disposal of the above CMA(MD). No.404 of 2024.



CMP(MD) No.8861 of 2024

Prayer in CMA(MD). 404/ 2024 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the award in M.C.O.P.No.1291 of 2021 dated 03.01.2024 on the file of Motor Accidents Claims Tribunal, Special Sub Court dealing with MCOP Cases, Tirunelveli and allow the appeal with costs

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

It was brought to the notice of this Court that in C.M.P(MD)No.8861 of 2024, the first respondent herein is suffering from Cancer, be permitted to withdraw her share in the award.

2. In view of the above submission, this petition is allowed in respect of the first respondent and she is permitted to withdraw her share as allotted by the Tribunal, by following proper procedure.

sd/-
29/07/2024

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/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN



CMP(MD) No.8861 of 2024

TO
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THE SPECIAL SUBORDINATE JUDGE
DEALING WITH MCOP CASES,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
TIRUNELVELI.

ORDER
IN
CMP(MD) No.8861 of 2024
IN
CMA(MD) No.404 of 2024
Date :29/07/2024

SS/GS/SAR- /05/08/2024/3P/2C

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