



CMP(MD) No.11514 of 2024

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

Wednesday, the Eleventh day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

CMP(MD) No.11514 of 2024

in

CMA(MD) No.650 of 2024

K.UMAMAHESWARI

2 C.K.BALAJI

... Petitioners / Respondents 1 & 2

Vs

THE GENERAL MANAGER,
TAMILNADU STATE TRANSPORT CORPORTION,
KUMBAKONAM LTD.,
TRICHY DIVISION,
TRICHY DISTRICT.

... Respondent / Appellant

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 admitted liability amount (Rs.5,00,000/-) with the accrued interest to the credit of MCOP.No.78 of 2021 on the file of the motor accident claims tribunal/additional district and sessions court, Theni at Periyakulam pending disposal of CMA(md).No.650 of 2024.

Prayer in CMA(MD). 650/ 2024 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to allow this appeal by set aside the award dated 28-04-2023 made in M.C.O.P No.78 of 2021 on the file of the Motor Accident Claim Tribunal, Additioanl District and Sessions Court, Theni at Periyakulam.



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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.K. SURESH KUMAR, Advocate for the petitioners and of Mr.K.RAMAIAH, Advocate on behalf of the Respondent, the court made the following order:-

This Civil Miscellaneous Petition has been filed by the claimants seeking permission of this Court to withdraw the admitted liability amount of Rs.5,00,000/- with the accrued interest to the credit of M.C.O.P.No.78 of 2021 on the file of the Motor Accident Claims Tribunal (Additional District and Sessions Court), Theni, at Periyakulam pending disposal of the above Civil Miscellaneous Appeal.

2. By an order dated 26.06.2024, this Court has directed the respondent/appellant, Insurance Company, to deposit the admitted liability amount of Rs.5,00,000/- on or before 29.08.2024.

3. It is submitted by the learned counsel for the respondent/ appellant that they had deposited the said amount.

4. The petitioners/claimants are permitted to withdraw the aforesaid amount lying in the deposit to the credit of M.C.O.P.No.78 of 2021, by filing a suitable



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application before the Tribunal.

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5. Accordingly, this Civil Miscellaneous Petition is allowed.

sd/-
11/09/2024

/ TRUE COPY /

/09/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN

To

The Additional District and Sessions Judge,
Motor Accident Claims Tribunal, Theni.

+1 CC to M/s.K.SURESH KUMAR, Advocate (SR-11208[I] dated 11/09/2024)

ORDER
IN
CMP(MD) No.11514 of 2024
in
CMA(MD) No.650 of 2024
Date :11/09/2024

ED/JGB /SAR- (19/09/2024) 3P / 3C

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