



C.M.P.(MD)No.15582 of 2024

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

Monday, the Fourth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MRS. JUSTICE R. KALAIMATHI

C.M.P.(MD)No.15582 of 2024

in

C.M.A.(MD).No.714 of 2022

1 KAYALVIZHI,

2 MINOR. VENKATRAJ,

3 MINOR. KAVIN,

(MINOR 2 AND 3 ARE REPRESENTED BY THEIR
NATURAL GUARDIAN MOTHER 1ST PETITIONER)

4 KALAVATHY,

... PETITIONERS/RESPONDENTS 1 TO 4

Vs

1 THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
DIVISIONAL OFFICE,
PROMINENT ROAD,
CONTONMENT,
TIRUCHY -1

... 1st RESPONDENT/ APPELLANT

2 NARENDRAKUMAR,

3 BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LIMITED,
NO. 184/25, K.P.S. SHOPPING ARCADE,
BY-PASS ROAD, MADURAI - 625010.

<https://www.mhc.tn.gov.in/judis>



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4 N. KOUSIK,

... RESPONDENTS 2 TO 4/RESPONDENTS 5 TO 7

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 1st petitioner to withdraw the 50 percentage of her share and also 4th petitioner's share in the award amount with entire accrued interest and to permit the 1st petitioner to withdraw the entire accrued interest of the shares of minor petitioners 2 and 3 and also cost lying the credit of M.C.O.P.No.1468 of 2015 on the file of the Motor Accident Claims Tribunal cum Special District Court, Trichy and thus render justice.

Prayer in CMA(MD). 714/ 2022 :

To set aside the Judgment dated 08.03.2022 passed in MCOP. No. 1468 of 2015 on the file of the Motor Accidents Claims Tribunal (Special District Court), Tiruchirappalli .

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 Mr.C.EZHILARASU, Advocate for the petitioner and of Mr..ROBERT CHANDRAKUMAR, Advocate on behalf of the 1st Respondent, the court made the following order:-

Heard the learned counsel for the petitioner/appellant and first respondent.

2. The appellant has deposited 50% of the award amount as per order of this Court, dated 25.07.2022. The petitioner Nos.1 and 4 are permitted to withdraw 50% of their proportionate share in the amount deposited by the appellant with proportionate interest as apportioned by the Tribunal. In respect of the minors' share is concerned, the first petitioner, who is the guardian of the minor claimants is



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permitted to withdraw the interest once in a three months. To this effect, this petition

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is allowed.

sd/-
04/11/2024

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

APD
TO
THE SPECIAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TRICHY

+1 CC to M/s.C.EZHILARASU, Advocate (SR-13542[I] dated 04/11/2024)

ORDER
IN
C.M.P.(MD)No.15582 of 2024
in
C.M.A.(MD).No.714 of 2022
Date :04/11/2024

SA/VR/SAR. /25.11.2024/3P/3C

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