



C.M.P.(MD)No.11616 of 2022

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

Thursday, the Eighth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

C.M.P.(MD)No.11616 of 2022
in
C.M.A.(MD)No.988 of 2022

1 SUGA PRIYA,

2 MINOR SUDHARSON, ... PETITIONERS/RESPONDENTS 1 & 2

(REPRESENTED THROUGH HIS MOTHER
AND GUARDIAN,THE 1ST PETITIONER HERE)

Vs

1 THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION,
COIMBATORE DIVISION, NO.37,
METTUPALAYAM ROAD, COIMBATORE. ...1ST RESPONDENT/ APPELLANT

2 VELLAIKANNU,

3 THANGAVEL,

(3RD RESPONDENT WAS GIVEN UP IN THE APPEAL)

4 SURIA NARAYANAN



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5 THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LIMITED,
2ND FLOOR,
M.P.S. COMPLEX, RAILWAY FEEDER ROAD,
PALANI, DINDIGUL DISTRICT.

6 THE BRANCH MANAGER,
THE ORIENTAL INSURANCE COMPANY LIMITED,
NO.82, 1ST FLOOR, THIRUMALAI PLAZA,
NEW DHARAPURAM ROAD, PALANI,
DINDIGUL DISTRICT.

... RESPONDENTS 2 TO 6/
RESPONDENTS 3 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 petitioners to withdraw 50 percentage of the award amount with entire accrued interest and the cost lying in the credit of M.C.O.P.No.3 of 2017 on the file of the Motor Accident Claims Tribunal (Additional District Court), Palani, pending disposal of the above appeal and thus render Justice.

Prayer in CMA(MD). 988/ 2022 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to allow this appeal, set aside the award and decree made in M.C.O.P. No. 3 of 2017 dated 02.07.2020 on the file of the Motor Accident Claims Tribunal/Additional District Court, Palani and pass such other or further orders that are deemed fit and proper in the circumstances of the case and thus render justice.

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.D. VENKATESH, Advocate for the petitioner and of MR.P.PRABHAKARAN, Advocate on behalf of the Respondent No.1 and MR.ROYCEEMMANUEL, Advocate for the 5th Respondent, the court made the following order:-

This petition is filed to withdraw 50% of the award amount with entire accrued interest and cost lying in the credit of M.C.O.P.No.3 of 2017, on the file of Motor



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Accident Claims Tribunal (Additional District Court), Palani.

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2.Satisfied with the reasons stated in the affidavit, this Civil Miscellaneous Petition is allowed. The petitioner is permitted to withdraw 50% of the award amount with entire accrued interest and cost lying in the credit of M.C.O.P.No.3 of 2017, on the file of Motor Accident Claims Tribunal (Additional District Court), Palani.

sd/-
08/02/2024

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/02/2024
Sub-Assistant Registrar (CS- I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

tmg

TO

THE ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL , PALANI.

ORDER
IN
C.M.P.(MD)No.11616 of 2022
in
C.M.A.(MD)No.988 of 2022
Date :08/02/2024

RK/VR(13/02/2024) 3P / 2C

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