



C.M.P.(MD)No.16187 of 2024

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

Thursday, the Twelfth day of December Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE G.R.SWAMINATHAN
and
The HONOURABLE MS. JUSTICE R. POORNIMA

C.M.P.(MD)No.16187 of 2024
in
C.M.A.(MD)No.1320 of 2024

A.ABUBAKKER SIDDIQUE ... PETITIONER/1ST RESPONDENT

Vs

1 LEGAL OFFICER (TP CLAIMS)
LIBERTY VIDEOCON GENERAL INSURANCE COMPANY LIMITED,
NO.79/2, 3RD FLOOR, MADURAI. ...1ST RESPONDENT/APPELLANT

2 P.THANGAPANDI ...2ND RESPONDENT/2ND RESPONDENT

3 SRI.HARIVELMANI
REPRESENTED BY FATHER AND GUARDIAN,
M.PARAMESWARAN,
PLOT NO.3,LAWYER GARDENT,
SBOA COLONY EXTENSION,
PONMENI,MADURAI.

4 THE BRANCH MANAGER
THE ORIENTAL INSURANCE COMPANY,
DOOR NO.2/16, NORTH VELI STREET,
KJR COMPLEX,MADURAI. ... RESPONDENTS 3 & 4/RESPONDENTS 3&4



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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 deposited amount in MCOP.No. 26/2019 on the file of the Motor Accident Claims Tribunal/ Subordinate Judge, Uthamapalayam pending disposal of CMA(MD).No. 1320/2024 and thus render justice.

PRAYER IN C.M.A.(MD)No.1320 of 2024:

To set aside the judgment and decree passed in M.C.O.P.No.26 of 2019 on the file of the Motor Accident Claims Tribunal(Sub Court) Uthamapalayam dated 10.01.2024 and allow the Civil Miscellaneous Appeal.

ORDER : This 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.K.SURESH KUMAR, Advocate for the petitioner and of MR.K.SANKAR, Advocate on behalf of the Respondents the court made the following order:-

The claimant has filed this petition for withdrawal of the deposited amount.

2.The learned standing counsel for the insurance company submitted that the award has been questioned both on the ground of negligence as well as on the ground of quantum.

3.In the interest of justice, we permit the petitioner to withdraw 50% of the deposited amount without security.



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4.This miscellaneous petition is allowed accordingly.

sd/-
12/12/2024

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/12/2024

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

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TO

The Motor Accident Claims Tribunal/ Subordinate Judge, Uthamapalayam

+1 CC to M/s.K.SURESH KUMAR, Advocate (SR-15295[I] dated 12/12/2024)

+1 CC to M/s.K.R.SHIVA, Advocate (SR-15405[I] dated 13/12/2024)

ORDER
IN

C.M.P.(MD)No.16187 of 2024
in

C.M.A.(MD)No.1320 of 2024
Date :12/12/2024

RK/GSV (17/12/2024) 3P / 4C

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