



C.M.P.(MD).No.1429 of 2024

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

Monday, the Fifteenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

C.M.P.(MD).No.1429 of 2024

in

C.M.A.(MD).No.1001 of 2022

1 P. MAREESWARI

2 MINOR. P.KANNA AKILESH

(The 2nd PETITIONER/RESPONDENT IS
REPRESENTED BY HIS MOTHER AND NATURAL
GUARDIAN THE 1st PETITIONER/1st RESPONDENT)

3 K.THANGAMARI

...PETITIONERS/RESPONDENTS 1 -3

Vs

1 THE ORIENTAL INSURANCE COMPANY LTD.,,
REP.THROUGH ITS DIVISIONAL MANAGER,
OFFICE AT NO.1518, TENKASI ROAD,
RAJAPALAYAM,
VIRUDHUNAGAR DISTRICT

...1st RESPONDENT/APPELLANT

2 S.SRI RAMULU

...2nd RESPONDENT/4th RESPONDENT

3 TAMILNADU STATE TRANSPORT CORPORATION MADURAI LTD.,
DINDIGUL REGION,
REP.THROUGH ITS MANAGING DIRECTOR,
OFFICE AT BYEPASS ROAD,
COLLECTORATE POST,
DINDIGUL.

...3rd RESPONDENT/5th RESPONDENT



C.M.P.(MD).No.1429 of 2024

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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/ the respondents 1 to 3 in the present appeal, to withdraw the 60 percent of the Tribunal award amount with proportionate accrued interest and cost, as deposited in the credit of the M.C.O.P.No. 39 of 2017, on the file of Learned Motor Accident Claims Tribunal cum Additional District and Sessions Judge, Srivilliputhur pending disposal of the main appeal.

Prayer in CMA(MD). 1001/ 2022 :

Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the order of the Motor Accident Claims Tribunal cum Additional District and Session Judge, Srivilliputhur made in M.C.O.P. No. 39/2017, dated 06.04.2022 and allow the appeal wiith 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.SOLAISAMY, Advocate for the petitioner and of MR.C.JAWAHAR RAJENDRAN, Advocate on behalf of the 1st Respondent, the court made the following order:-

This petition has been filed permit the petitioners/ the respondents 1 to 3 in the present appeal to withdraw the 60 percent of the Tribunal award amount with proportionate accrued interest and cost as deposited in the credit of the M.C.O.P.No. 39 of 2017 on the file of Learned Motor Accident Claims Tribunal cum



C.M.P.(MD).No.1429 of 2024

Additional District and Sessions Judge, Srivilliputhur, pending disposal of the main appeal.

2.Considering the facts and circumstances of the case, the petitioner is permitted to withdraw 50% of the deposited amount. Accordingly, this petition is allowed.

3.List the main appeal for final disposal on 29.04.2024.

sd/-
15/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO

THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MOTOR ACCIDENT CLAIMS
TRIBUNAL, SRIVILLIPUTHUR.

+1 CC to M/s.M.SOLAISAMY, Advocate (SR-4488[I] dated 17/04/2024)

ORDER
IN

C.M.P.(MD).No.1429 of 2024
in

C.M.A.(MD).No.1001 of 2022
Date :15/04/2024

PKP/JGB/SAR /18.04.2024/ 3P/ 3C
Madurai Bench of Madras High Court is issuing certified
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