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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2025

CORAM:

THE HONOURABLE DR. JUSTICE **G.JAYACHANDRAN**
and
THE HONOURABLE MR. JUSTICE **MUMMINENI SUDHEER KUMAR**

C.M.P.No.1439 of 2025
in
C.M.A.SR.No.58321 of 2024
Now numbered as C.M.A.No.1219 of 2025

1.Savitha Bararia
2.Reet Bararia @ Reet Bararial
3.Minor Jaineka Bararia
4.Kamala Devi Bararia
5.Binod Kumar Baraia

.. Petitioners

Vs.

1.Kalairaj.V

2.The Manager
Magma HDI General Ins, Co.Ltd.,
VB SRS Hyundai Show Room,
No.2751, Imperial Road,
Cuddalore OT 607 003.

.. Respondents

PRAYER: Civil Miscellaneous Petition is filed under Section 151 of C.P.C, to permit the petitioners 1 to 5 to withdraw the amount of Rs.44,60,584 deposited via UTR No.AXISCN0759848021 in accordance with the order of



the Hon'ble High Court in MCOP No.102 of 2022 on the file of MACT/
Special District Court No.1, Cuddalore .

For Petitioners : Ms.A.Subadra

For R2 : Ms.Kavi Bharathi

ORDER

[Order of the Court was made by Dr.G.JAYACHANDRAN., J.]

The petition has been filed to withdraw the part of the award amount deposited in the MCOP account, while granting interim order in C.M.P.No.15497 of 2024 in C.M.A.No.2002 of 2024.

2. On perusal of the records, it is seen that the Tribunal has awarded a sum of Rs.75,97,000/- as compensation to the claimants, who are the wife, parents and two children of the deceased. The Tribunal has apportioned the award amount among the claimants as follows:-

Rs.37,98,500/- to the wife

Rs.11,39,550/- each to the two children

Rs.7,59,700/- each to the mother and father.

3. The present petition has been filed seeking withdrawal of a sum of Rs.44,60,584/- deposited in the MCOP account.



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On perusing the affidavit filed along with the petition, this Court is of the view that the petitioners 1, 2, 4 and 5 be permitted to withdraw sums of Rs.10,00,000/-, Rs.10,00,000/-, Rs.5,00,000/- and Rs.5,00,000/- respectively. The balance amount shall be reinvested until further orders.

[Dr.G.J., J.] & [M.S.K., J.]
05.11.2025

rpl

To

The MACT/ Special District Court No.1, Cuddalore .

Dr.G.JAYACHANDRAN., J.
and
MUMMINENI SUDHEER KUMAR., J.



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