



CMP(MD) No.5000 of 2025

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

Thursday, the Twelfth day of June Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA
and
The HONOURABLE MS. JUSTICE R. POORNIMA

CMP(MD) No.5000 of 2025

1 RAKKAMMAI
D/O.THANNIRAMALAI,
NO.33, VALLI ILLAM
CHURCH 1ST STREET,
T.T.NAGAR,
OPP TO 4D
SCAN,KARAIKUDI,
SIVAGANGAI DISTRICT.

2 SM.SUSILA
W/O.SOMASUNDARAM, PLOT NO.4, VIDHYA COLONY,
K.K.NAGAR, MADURAI.

3 RM.SOMASUNDARAM
S/O.RAMANATHAN, PLOT NO.4, VIDHYA COLONY, K.
K.NAGAR, MADURAI.

4 SIVALINGAM
S/O.SOMASUNDARAM, PLOT NO.4, VIDHYA COLONY,
K.K.NAGAR, MADURAI.

... PETITIONER(S)

Vs



CMP(MD) No.5000 of 2025

1 THE RELIANCE GENERAL INSURANCE COMPANY LIMITED, REPRESENTED BY ITS MANAGER,
1ST FLOOR, PLOT NO.80, FEET ROAD,
SRI MEENAKSHI PLAZA, HIG 55, ANNA NAGAR,
MADURAI - 625 020.

2 K.SETHU
S/O.P.KANNAN, NO.106/269, LINGHI CHETTY
STREET, CHENNAI - 600 001.

... RESPONDENT(S)

For Petitioner: Mr RM.ARUN SWAMINATHAN, Advocate

ORDER

This Civil Miscellaneous Petition has been filed seeking permission to withdraw the deposited award amount which was deposited by the 1st respondent/appellant/Insurance Company in M.C.O.P.No.598 of 2021 on the file of the Motor Accident Claims Tribunal (Special District Court to deal with Motor Accident Cases), Madurai.

2. Heard the learned Counsel for the petitioners and the learned Counsel for the first respondent/Insurance Company. There is no representation on behalf of the 2nd respondent.

3. The claimant has filed the present petition seeking permission to withdraw the deposited amount.



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4. The Learned Counsel appearing for the Insurance Company submits that it is a serious dispute regarding the quantum of compensation fixed by the Tribunal. Therefore, the claimants shall not permitted to withdraw the amount, till disposal of the appeal.

5. While granting a stay on the operation of the award, this Court directed the Insurance Company to deposit 75% of the award amount, which has now been deposited as per the instructions given to the petitioners. However, on considering the merits of the case, this Court is inclined to allow this petition partially, by allowing the claimants to withdraw 50% from the deposited amount along with proportionate interest.

6. Post the matter after three weeks for 'Final hearing'.

sd/-
12/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RM
TO

THE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL
MADURAI

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



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Copy To

THE RELIANCE GENERAL INSURANCE
COMPANY LIMITED, REPRESENTED BY ITS MANAGER,
1ST FLOOR, PLOT NO.80, FEET ROAD,
SRI MEENAKSHI PLAZA, HIG 55, ANNA NAGAR,
MADURAI - 625 020.

ORDER
IN
CMP(MD) No.5000 of 2025
Date :12/06/2025

NM/26.06.2025 4P/3C

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