



CMP(MD) NO. 6571 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-04-2025

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) NO. 6571 of 2025

J.Selvam

W/o. Jawahar, No.5/2-90-1, Anaikkaraipatti, Vandari,
Madurai 625 705. and four others.

Petitioners

Vs

1. M/s. United India Insurance Company Limited,
Represented by its Branch Manager,
No.4/700B, Thanjavur Road, (Near Sree Sweet),
Near Town Bus Stop, Thiruverambur,
Tiruchirappalli 620 013.

2. A.Kannusamy

Respondents

For Petitioner(s):

P.Prabhakaran
P.Joseph Raj

For Respondent(s):



CMP(MD) NO. 6571 of 2025

ORDER

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The present appeal is filed by the Insurance Company challenging both the liability and the quantum of the award passed by the Motor Accident Claims Tribunal, which fixed compensation at Rs. 69,84,857/- with 7.5% interest.

2. This Court granted a stay of the award on the condition that 50% of the award amount be deposited to the credit of M.C.O.P. No. 167 of 2022 on the file of the Motor Accident Claims Tribunal, Special District Court-II, Trichirappalli, dealing with MCOP cases, on or before 29.08.2024. The appellant/Insurance Company has duly deposited the said amount.

3. The present petition has been filed by the claimants seeking permission to withdraw 50% of the deposited amount, as they are in need of funds to meet their day-to-day expenses.

4. The learned counsel appearing for the Insurance Company has raised a serious objection, stating that the quantum of liability must be determined before permitting the claimants to withdraw the amount.

5. Considering that the accident took place on 27.12.2001, and at the time of the accident, the deceased was 53 years old and working as an Assistant Engineer in the PWD, the petitioners, being the dependents of the deceased his wife, children, and mother are entitled to relief. Therefore, this petition is liable to be considered



CMP(MD) NO. 6571 of 2025

positively.

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6. Accordingly, this petition is partly allowed. The petitioners are permitted only to withdraw a sum of Rs.2.5 Lakhs, each.

sd/-
25/04/2025

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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA
TO
THE SPECIAL DISTRICT JUDGE NO.II,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
TIRUCHIRAPPALLI.

+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-4781[I] dated 25/04/2025)

ORDER
IN
CMP(MD) No.6571 of 2025
Date :25/04/2025

SA/SAR. /08.05.2025/3P/3C

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