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CMP(MD)No.
in CMA(MD)No.1046 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2026

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THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CMP(MD)No.1531 of 2024
in
CMA(MD)No.1046 of 2023

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.... Petitioner/1st Respondent/Petitioner

Vs

1.M/s Liberty Videocon General Insurance
Co., Ltd., represented by its Divisional Manager,
Divisional Office, 3rd Floor,
Raja Parle Building,
79/2, Bye-Pass Road,
Madurai-625 010.

... 1st Respondent/Appellant/
2nd Respondent

2.R.Jayaraman

.... 2nd Respondent/2nd Respondent/
1st Respondent

Prayer in CMP(MD)No.1531 of 2024 : This Civil Miscellaneous Petition filed under Section 151 C.P.C. praying to permit the petitioner to withdraw 50% deposited award amount of Rs.5,32,300/- without furnishing security, which is lying in court deposit to the credit of M.C.O.P.No.776 of 2017, on the file of the MACT, Special Subordinate Judge, Madurai.

Prayer in CMA(MD)No.1046 of 2023 : This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act 1988 against the award made in M.C.O.P.No.776 of 2017, on the file of the Motor Accident Claims Tribunal, Special Sub-Court, Madurai, dated 14.11.2022.



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For Petitioner: Mr.A.Theethar

For Respondents: Mrs.K.R.Shivashankari
for R1

ORDER

This Civil Miscellaneous Petition has been filed seeking orders to permit the petitioner to withdraw 50% deposited award amount of Rs.5,32,300/- without furnishing security, which is lying in court deposit to the credit of M.C.O.P.No.776 of 2017, on the file of the MACT, Special Subordinate Judge, Madurai.

2.It is seen from the records that this Court while granting interim stay, directed the first respondent/appellant to deposit 50% award amount to the credit of M.C.O.P.No.776 of 2017 on the file of the Motor Accident Claims Tribunal/Special Subordinate Court, Madurai and in pursuance of the same, the first respondent/appellant deposited the amount. Now the claimant has filed the above application seeking permission to withdraw the amount.

3. Heard both sides and perused the materials available on records.

4.The learned counsel for the first respondent/appellant would submit that they are not having objections to withdraw 50% of the deposited amount.



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5. Considering the facts and circumstances of the case and also the reasons assigned, this Court is inclined to grant permission. Accordingly, this petition is ordered and the petitioner is permitted to withdraw 50% of the deposited amount, ie., 25% of the award amount along with interest and costs, which is lying to the credit of M.C.O.P. No. 776 of 2017 on the file of the Motor Accident Claims Tribunal / Special Subordinate Court, Madurai.

01.04.2026

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To

1. The Special Subordinate Court,
Motor Accident Claims Tribunal,
Madurai.