



WEB COPY



CMP(MD) No.37/
in CMA(MD) No.1351 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-04-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

C.M.P(MD) No.3797 of 2026
in C.M.A(MD)No.1351 of 2025

1.Sathya

2.Minor.Lavanya

3.Minor.Karupusamy

4.Minor.Janusri

5.Gandhi

: Petitioners

(Minor Petitioners 2 to 4 are represented by
their mother/1st respondent)

Vs

1.The Branch Manager,
M/s.Oriental Insurance Company Ltd.,
Office at Gopal Rao Library Building,
Town Hall road, Kumbakonam.

2.P.Shankar

3.The Proprietor,
RR INFRAA Construction,
New No.2, Old No.4 C,
N.C.C. Office Road, Visalatchipuram,
Madurai 625 014.



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4. The Branch Manager,
SBI General Insurance Company Ltd,
No.28 B, 2nd Floor, Thillai Nagar,
H.P.Petrol Bunk Opposite,
Thiruchirappalli – 620 018.

: Respondents

Civil Miscellaneous Petition filed under Section 151 of C.P.C., to permit the petitioners to withdraw the entire award amount of Rs.33,29,399/- deposited in M.C.O.P.No.23 of 2023 on the file of the MACT, Principal Sub Court, Kumbakonam.

For Petitioners : Mr.A.S.Mathialagan,

For Respondents : Mr.A.Ilango, for R1.

: No Appearance, for R2 to R4.

ORDER

This Civil Miscellaneous Petition has been filed seeking orders to permit the petitioners to withdraw the entire award amount of Rs.33,29,399/- deposited in M.C.O.P.No.23 of 2023 on the file of the MACT, Principal Sub Court, Kumbakonam.

2.It is seen from the records that in pursuance of the directions of this Court, the appellant/Insurance Company has deposited the entire award amount with interest and cost. Now the petitioners/claimants have filed the above application seeking permission to withdraw the amount.

3. The learned counsel appearing for the first respondent/appellant would submit that they have taken a defence of contributory negligence and have



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admitted liability to the extent of 75%, and that they have no objection for the claimants to withdraw the admitted liability amount.

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

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 first and fifth petitioners are permitted to withdraw the admitted amount of Rs.20,70,937/- with interest and costs, which is lying in the credit of M.C.O.P.No.23 of 2023 on the file of the Motor Accident Claims Tribunal, Principal Sub Court, Kumbakonam, as per the apportionment fixed by the Tribunal and the share of the minor petitioners shall be deposited in any one of the Nationalized Banks till they attain majority.

02-04-2026

das

To

Motor Accident Claims Tribunal,
Principal Sub Court, Kumbakonam.