

CMP(MD)No..
in CMA(MD)No.1307 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01-06-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CMP(MD) No.5700 of 2026
in CMP(MD) No.17910 of 2025
in CMA(MD) No.1307 of 2025

Balasubramanian

**Petitioner/1st Respondent/
1st Respondent**

Vs

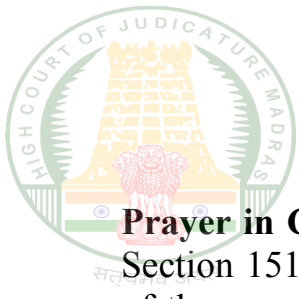
1.The Claims Manager,
M/s.Bajaj Alliance General Insurance
Company Limited,
Rajapalayam Center, 21#A, Nethaji Nagar,
Nansundapuram Main Road,
Opposite of Indian Oil Petrol Bulk,
Ramanathapuram, Coimbatore-641045.

**1st Respondent/Petitioner/
Appellant**

2.The Director,
Raju Spinning Mills Private Limited,
110-B, Cotton Market, Rajapalayam-626117,
Virudhunagar District.

**2nd Respondent/2nd Respondent/
2nd Respondent**

*(2nd respondent remained exparte in lower Court, hence
notice may be dispensed with)*



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Prayer in CMP(MD)No.5700 of 2026 : This Civil Miscellaneous Petition filed under Section 151 of Civil Procedure Code praying to permit the petitioner to withdraw 50% of the amount deposited by the first respondent herein which is lying to the credit of M.C.O.P.No.55 of 2020 on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate Court, Srivilliputhur.

Prayer in CMA(MD)No.1307 of 2025 : This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act praying to set aside the fair order award made in M.C.O.P.No.55 of 2020 dated 05.10.2023, on the file of Motor Accident Claims Tribunal, Chief Judicial Magistrate, Srivilliputhur.

For Petitioner: Mr.M.Thirunavukkarasu, Advocate

For Respondents: Mr.N.Shyllappa Kalyan, Advocate for R1

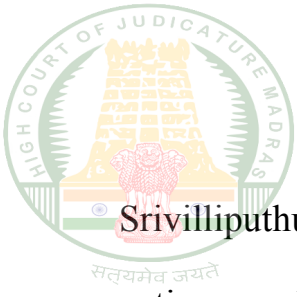
No appearance for R2

ORDER

The above petition has been filed seeking orders to permit the petitioner to withdraw 50% of the award amount with accrued interest which was deposited by the first respondent / Insurance Company.

2. Heard the learned counsel on either side.

3. It is evident from the records that this Court in C.M.P.(MD)No.17910 of 2025 vide order dated 07.11.2025 directed the first respondent to deposit the entire award amount together with accrued interest and costs to the credit of M.C.O.P.No.55 of 2020 on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate,



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Srivilliputhur. In pursuance of the said direction, the first respondent deposited the entire award amount together with accrued interest and costs.

4. The learned counsel appearing for the first respondent would submit that they are having objections and the main appeal itself may be taken up for final disposal.

5. The learned counsel appearing for the petitioner would submit that the petitioner has been taking treatment even now and finds it difficult to pay the medical expenses.

6. Considering the facts and circumstances and also the submissions made on either side, the petitioner is permitted to withdraw 50% of the amount that was deposited by the first respondent with accrued interest and costs on filing necessary application before the Tribunal.

7. Accordingly, this petition is ordered.

01-06-2026

CSM

To

1.The Chief Judicial Magistrate,
Motor Accident Claims Tribunal, Srivilliputhur.

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