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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 30-10-2026**

CORAM

**THE HON'BLE DR.JUSTICE P.MURUGAN**

**CMP(MD) No. 11827 of 2026**

CNR:{HCMD011150342026}

**in CMA(MD) No.637 of 2026**

Rajendiran,

..Petitioner(s)

Vs

1. Thamaraiselvam,
   (R1 called absent and set exparte before the learned
   Tribunal. Hence, notice may be given up)

2. The Manager,
   United India Insurance Company Ltd.,
   Pudukkottai.

..Respondent(s)

**PRAYER:** To permit the petitioner/appellant to withdraw the entire amount of Rs.11,92,454.55/-(Rupees Eleven Lakhs Ninety-Two Thousand Four Hundred and Fifty-Four and Paise Fifty-Five only) awarded by the learned Motor Accidents Claims Tribunal, Additional District and Sessions Court, Pudukkottai, in M.C.O.P.No. 320 of 2023, dated 27.02.2026 together with the entire accrued interest and thus render justice.

For Petitioner(s) : M/s D.Rameshkumar

Fot Respondent(s) : M/s.S.Royce Emmanuel for R2



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**ORDER**

This Civil Miscellaneous Petition has been filed by the petitioners/claimants seeking permission to withdraw the entire award amount deposited by the second respondent Insurance Company to the credit of the Tribunal in M.C.O.P. No. 320 of 2023, pending disposal of the main Civil Miscellaneous Appeal.

2.The main appeal in C.M.A.(MD) No. 637 of 2026 has been filed by the claimants seeking enhancement of compensation. The learned Tribunal, by its award, awarded a total sum of Rs. 11,92,454.55 (Rupees Eleven Lakhs Ninety Two Thousand Four Hundred and Fifty-Four and Fifty-Five Paise only) together with interest at the rate of 7.5% per annum from the date of petition till the date of deposit, along with costs.

3.Being dissatisfied with the quantum of compensation awarded by the Tribunal, the claimants have preferred the present appeal for enhancement.

4.The learned counsel for the petitioners submits that the second respondent Insurance Company has already deposited the entire award amount along with accrued interest and costs before the trial Court / Tribunal. Hence, the petitioners have filed the present application to



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permit them to withdraw the deposited amount.

5.Upon notice, the learned counsel appearing for the second respondent Insurance Company submits that while the entire award amount has been deposited, only 50% of the deposited amount may be permitted to be withdrawn by the claimants at present, and the remaining 50% may be retained by the Court till the disposal of the appeal. He further submitted that the appeal may be taken up for final disposal. The appeal will be taken up in due course and will be decided on the grounds and merits of the appeal.

6.It is an admitted fact that the Insurance Company has not filed any appeal challenging either the liability or the quantum of compensation awarded by the Tribunal and has accepted the award by depositing the entire amount. Since the present appeal for enhancement is filed solely by the claimants and no appeal has been preferred by the Insurance Company, there is no legal impediment to them in permitting the claimants to withdraw the entire award amount already deposited.

7.In view of the above, this Civil Miscellaneous Petition is allowed.

8.The trial Court / Tribunal is directed to disburse the entire award amount deposited by the second respondent Insurance Company to the



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credit of M.C.O.P. No. 320 of 2023, along with accrued interest and costs, by following due procedure of law and on application by the petitioner.

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**DR.P.MURUGAN, J.**

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