



WEB COPY



CMP(MD)No..
in CMA(MD)No.532 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06-04-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CMP(MD) No.3085 of 2026
in CMP(MD) No.9076 of 2025
in CMA(MD) No.532 of 2025

P.Balasubramanian

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

Vs

1.The Branch Manager,
M/s.New India Assurance Company Limited,
No.147, 148 Salai Street, Ramanathapuram,
Ramanathapuram District.

**1st Respondent/Petitioner/
Appellant/2nd Respondent**

2.Benazir Fathima

**2nd Respondent/2nd Respondent/
2nd Respondent/1st Respondent**

3.B.Velu

**3rd Respondent/3rd Respondent/
3rd Respondent/3rd Respondent**

Prayer in CMP(MD)No.3085 of 2026 : This Civil Miscellaneous Petition filed under Section 151 of Civil Procedure Code praying to permit the petitioner to withdraw 50% of the award amount with accrued interest deposited to the credit of M.C.O.P.No.70 of



CMP(MD)No..
in CMA(MD)No.532 of 2025

2021 on the file of the learned Motor Accident Claims Tribunal (Sub Court) Paramakudi, Ramanathapuram District, pending disposal of the above C.M.A.(MD)No. 532 of 2025.

Prayer in CMA(MD)No.532 of 2025 : This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act praying to allow this memorandum of civil miscellaneous petition against the order dated 19.12.2023 made in M.C.O.P.No.70 of 2021 on the file of the Motor Accident Claims Tribunal (Sub Court), Paramakudi.

For Petitioner: Mr.C.Ganesan, Advocate

For Respondents: Mr.B.Rajesh Saravanan, Advocate for R1

Mr.S.A.S.Alaudeen, Advocate for R2

Mr.M.Mahendra Prabu, Advocate for R3

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.9076 of 2025 vide order dated 23.06.2025 directed the first respondent to deposit 75% of the award amount together with accrued interest and costs to the credit of M.C.O.P.No.70 of 2021 on the file of the Motor Accident Claims Tribunal / Sub Court, Paramakudi. In



CMP(MD)No..
in CMA(MD)No.532 of 2025

pursuance of the said direction, the first respondent deposited 75% of the award amount together with accrued interest and costs.

4. The learned counsel appearing for the first respondent would submit that since they are disputing the liability, the main appeal itself may be taken up.

5. 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.

6. Accordingly, this petition is ordered.

06-04-2026

CSM

To

1.The Subordinate Judge,
Motor Accident Claims Tribunal,
Paramakudi, Ramanathapuram District.