



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE TWENTIETH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI

IA No. 1 OF 2024

IN

MACMA NO: 161 OF 2023

Between:

United India Insurance Company Ltd, Rep by its Divisional Manager,
Vellore, also having its D.M Office at Sri Devi Complex, Tilak Road,
Tirupati, Tirupati District.

...Appellant

AND

...Respondent/Appellant

1. C.Reddamma, W/o late C.Harinath, Aged about 38 years, Occ:House
Wife,
2. C.Prasanth, S/o late C.Harinath, Aged about 22 years, Occ:Student,
3. C.Sudharsan @ Sudarshan, Late C. Harinath, Aged about 19 years,
Occ:Student,

Respondents No. 1 to 3 are residing at Maruthi Nagar, M.R.Palle,
Tirupati Rural (Mandal), Tirupati District.

...Respondents/Claimants

4. P.Sarath Kumar, S/o R.Perumal, Aged about 24 years, Rio D.No. 4-51,
Middle Street, Manparai Post, Musiri Taluk, Tiruchi District, Tamilnadu
State.

5. J.V.Prasad, S/o Jwotheeswaran, Aged not know to the petitioners, but he is major, Residing at D.No. 40-56, Periyannan Street, Near jothiTheater, Namakkal Taluk, Trichi District, Tamilnadu State.

...Respondent/Respondents

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the Petitioner i.e C. Sudharsan @ Sudarshan Respondent No. 3 to withdraw his share of deposited amount by 1st Respondent/Appellant credited in M.V.O.P.No. 106 of 2018 before the MACT-cum-V Additional District Judge, Tirupati pursuant to the orders of this Hon'ble Court dated 21.04.2023 passed in I.A.No. 2 of 2023 in M.A.C.M.A.No.161 of 2023 Pending disposal of MACMA No. 161 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dated 21.04.2023 made herein and upon hearing the arguments of Sri O Udaya Kumar Advocate for the Appellant, Sri Maheswara Rao Kuncheam Advocate for the Respondents, The Court made the following.

ORDER:

“This petition is under Section 151 CPC to permit the petitioner i.e C. Sudharsan @ Sudarshan Respondent No. 3 to withdraw his share of deposited amount by Respondent/Appellant credited in M.V.O.P.No. 106 of 2018 before the MACT-cum-V Additional District Judge, Tirupati pursuant to the orders of this Hon'ble Court dated 21.04.2023 passed in I.A.No. 2 of 2023 in M.A.C.M.A.No. 161 of 2023.

The petitioner is declared as major vide orders dated 20.09.2024 in I.A.No.2 of 2024.

The learned counsel for the 1strespondent/appellant reported no counter.

The learned counsel for the petitioners stated that the other claimants filed similar petition vide I.A.No.3 of 2023 and they were permitted to withdraw their part of share on 06.07.2023 and similarly the petition may also be permitted.

In view thereof, the petition is allowed and the petitioner is permitted to withdraw the amount of his share with proportionate interest and costs deposited by the 1st respondent, without furnishing any security, however subject to result of the appeal.”

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The MACT-cum-V Additional District Judge, Tirupati.
2. C.Reddamma, W/o late C.Harinath, Aged about 38 years, Occ:House Wife,
3. C.Prasanth, S/o late C.Harinath, Aged about 22 years, Occ:Student,
4. C.Sudharsan @ Sudarshan, Late C. Harinath, Aged about 19 years, Occ:Student,
5. P.Sarath Kumar, S/o R.Perumal, Aged about 24 years, Rio D.No. 4-51, Middle Street, Manparai Post, Musiri Taluk, Tiruchi District, Tamilnadu State.
6. J.V.Prasad, S/o Jwotheeswaran, Aged not know to the petitioners, but he is major, Residing at D.No. 40-56, Periyannan Street, Near jothiTheater, Namakkal Taluk, Trichi District, Tamilnadu State.(Addressee 2 to 7 by RPAD)
7. One CC to SRI. MAHESWARA RAO KUNCHEAM Advocate [OPUC]
8. One CC to SRI. O UDAYA KUMAR Advocate [OPUC]
9. One spare copy

LPK

HIGH COURT

BSB,J

DATED:20/09/2024

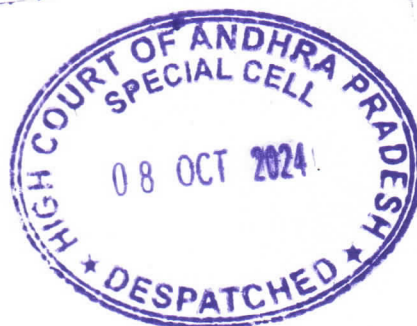
POST AFTER TWO (02) MONTHS.

ORDER

IA.No.1 OF 2024

IN

MACMA.No.161 of 2023



DIRECTION