



C.M.P.No.32643 of 2025
in
C.M.A.No.3880 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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CORAM

**THE HONOURABLE MRS. JUSTICE K. GOVINDARAJAN
THILAKAVADI**

**C.M.P.No.32643 of 2025
in
C.M.A.No.3880 of 2025**

Shriram General Insurance Co. Ltd.,
Mylapore, Chennai – 600 004

Appellant

Vs.

1. A. Dhanasekar
2. D. Manikandan

Respondents

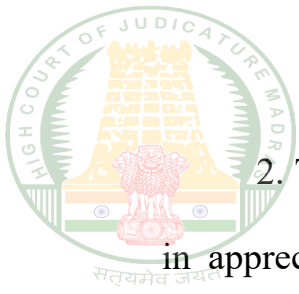
PRAYER

To order stay all further proceedings in pursuance of the judgment and decree passed in M.C.O.P.No.608 of 2016 dated 24.04.2024 made on the file of the Motor Accidents Claims Tribunal (Special District Court-I for Motor Accident Claims Cases), Cuddalore, pending disposal of the above C.M.A.

For Appellant : Mr T.K. Premkumar.

ORDER

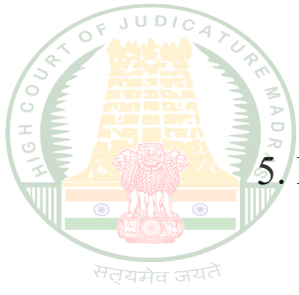
This Civil Miscellaneous Appeal is preferred to set aside the award in M.C.O.P.No.608 of 2016 dated 24.04.2024 made on the file of the Motor Accidents Claims Tribunal (Special District Court-I for Motor Accident Claims Cases), Cuddalore.



2. The learned counsel for the appellant submitted that the Tribunal erred in appreciating that the petitioner failed in proving the nature and cause of accident and that the petitioner's narration in the claim petition that the accident occurred while he was an occupant in the auto which toppled due to rash and negligent driving was contrary to the adduced evidence (RW1) by the appellant herein that the FIR was closed on the ground of mistake of law upon investigation that the accident did not occur at all. Hence, prayed for staying all further proceedings in the above M.C.O.P.

3. Considering the facts and circumstances of the case, this Court is inclined to grant interim stay in the above matter on a condition that the appellant shall deposit 50% of the amount awarded by the Tribunal to the credit of M.C.O.P.No.608 of 2016 dated 24.04.2024 made on the file of the Motor Accidents Claims Tribunal (Special District Court-I for Motor Accident Claims Cases), Cuddalore, within a period of four weeks from the date of receipt of a copy of this order, failing which, the order of stay granted by this Court shall stand vacated automatically without further reference to this Court.

4. Notice to the respondents returnable by 19.02.2026. Private notice is also permitted.



5. List on 19.02.2026.

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K.GOVINDARAJAN THILAKAVADI J.
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