



C.M.P.No.32877 of 2025
in
C.M.A.No.3893 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.32877 of 2025

in

C.M.A.No.3893 of 2025

M/s. ICICI Lombard General Insurance Co. Ltd.,
First Floor, Ferns Icon, Rep. by its Branch Manager,
Serving office at
S.No.28, Next to Akme Ballet,
Off Outer Ring Road,
Doddanekkundi, Bangalore – 560 037.

(previously BHARATI AXA General Insurance
Co. Limited, merged with effect from September
2021 as per order of IRDAI)

Appellant

Vs.

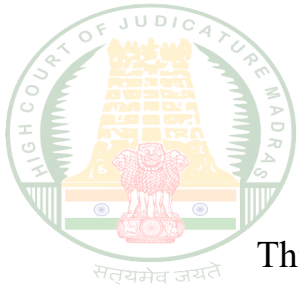
1. Dhanalakshmi
2. Minor. Sai Surya
3. Minor Varithavarani
4. Praveen

Respondents

PRAYER

To order stay all further proceedings in pursuance of the award passed in M.C.O.P.No.01 of 2023 dated 13.03.2025 made on the file of the Motor Accidents Claims Tribunal (Special District Court for Motor Accident Claims Cases), Krishnagiri, pending disposal of the above C.M.A.

For Appellant(s) : Mr.J.Michael Visuvasam



ORDER

This Civil Miscellaneous Appeal is preferred to set aside the award in M.C.O.P.No.01 of 2023 dated 13.03.2025 made on the file of the Motor Accidents Claims Tribunal (Special District Court for Motor Accident Claims Cases), Krishnagiri.

2. The learned counsel for the appellant submitted that the Tribunal erred in saddling liability on the appellant Insurance Company to pay a sum of Rs.21,56,850/- with interest at the rate of 7.5% per annum and costs. He further submitted that the 4th respondent, being the owner-cum-driver of the KWID car bearing Reg.No.KA 01 MU 3214, was not holding a valid driving license on the date of the accident, that is, on 14.09.2022, constituting a clear violation of policy conditions. 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 the 50% of the amount awarded by the Tribunal to the credit of M.C.O.P.No.01 of 2023 dated 13.03.2025 made on the file of the Motor Accidents Claims Tribunal (Special District Court for Motor Accident Claims Cases), Krishnagiri, 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.



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

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5. List on 19.02.2026.

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vsn

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CMA No. 3893 of 2025



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