

CMP. No.29934 of 2025 in C.M.A. No.3607 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 02.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

C.M.P.No.29934 of 2025

in C.M.A. No.3607 of 2025

United India Insurance Company Ltd,
PLI Branch, Soorya Complex,
Mission High School Junction,
TB Road, Palakkad 678 014,
Kerala.

... Petitioner

Vs.

1. C.Sivaraj
- 2.Satheesh Kumar
- 3.Vijajakumar
- 4.IFFCO-TOKIO General Insurance Company Ltd
16, Venkatramana Round Road, Mahalingapuram,
Pollachi
- 5.Devadas
- 6.P.E.Subramaniyan

... Respondents

PRAYER



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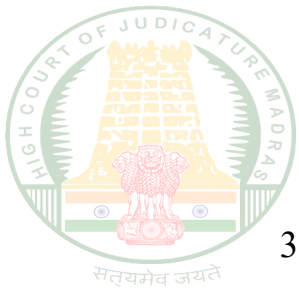
To grant stay of execution of the decree dated 18.03.2025 made in O.P. No.68 of 2014, on the file of the Motor Accident Claims Tribunal (Subordinate Judge), Pollachi.

For Petitioner : Mr.D.Bhaskaran

ORDER

The captioned Civil Miscellaneous Petition is preferred against the decree passed in O.P. No.68 of 2014 dated 18.03.2025 on the file of the Motor Accident Claims Tribunal (Subordinate Judge), Pollachi.

2. The appellant /Insurance Company, in the support affidavit has stated that inspite of FIR registered against the deceased, the Tribunal has erroneously fixed the liability on this appellant. It is further submitted that, in the connected case in O.P.No.859 of 2014, the 1st respondent/driver of TATA Tipper lorry was held responsible and made liable to pay compensation. However, for the same accident, the Tribunal has fixed liability on this appellant which requires consideration by this Court.

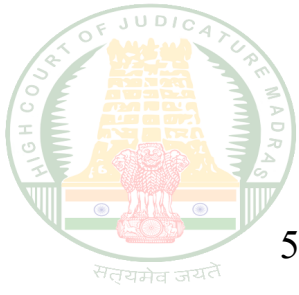


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3. The learned counsel appearing for the appellant / Insurance Company

reiterated the facts narrated in the support affidavit and submitted that the appellant has every chance to succeed in this appeal and the appellant would be put to hardship if the judgment and order passed by the Tribunal is proceeded. Further, prayed for staying all further proceedings in O.P. No.68 of 2014 dated 18.03.2025.

4. Considering the facts and circumstances of the case, this Court is inclined to grant interim stay in the above matter on condition that the appellant / Insurance Company Limited shall deposit 50% of the compensation awarded by the Tribunal to the credit of O.P. No.68 of 2014 on the file of the Sub Court, Pollachi to deal with MCOP Cases, Tiruppur, on or before 12.01.2026, failing which, the order of stay granted by this Court shall stand vacated automatically without further reference to this Court.



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5. Notice to the respondents returnable by 12.01.2026. Private

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Notice is also permitted.

6. list on 12.01.2026.

02.12.2025

vsn

To

The Subordinate Judge,

Motor Accident Claims Tribunal,

Pollachi.



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K.GOVINDARAJAN THILAKAVADI, J.

vsn

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