



CMP. No.30378 of 2025 in CMA No.3652 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

CMP. No.30378 of 2025 in CMA No.3652 of 2025

The Branch Manager

The New India Assurance Company Limited,

D.No.287, R.K. Complex, 1st Floor,

Chithoor Main Road, Opposite to Balaji Theatre

Katpadi Town and Taluk

Vellore District 632 007

... Petitioner

Vs.

1. Jayavel

2. B. Barathy

...Respondents

PRAYER

To grant stay of all further proceedings in pursuant to the Award dated 02-12-2024 made in MCOP.No.612 of 2022, on the file of the Exclusive Motor

1/5



CMP. No.30378 of 2025 in CMA No.3652 of 2025

Accident Claim Tribunal, Dharmapuri, pending disposal of the above Appeal.

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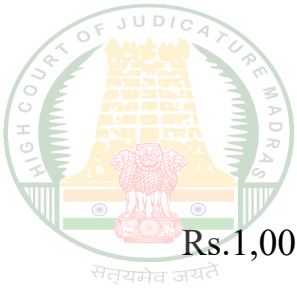
For Petitioner : Mr. M. Krishnamoorthy

ORDER

The captioned Civil Miscellaneous Petition is preferred to stay the order dated 02.12.2024 made in MCOP.No.612 of 2022, on the file of the Exclusive Motor Accident Claim Tribunal, Dharmapuri.

2. The learned counsel for the petitioner/appellant contended that the compensation awarded by the Tribunal is on the higher side. When the Medical Board assessed the functional disability at 10% and physical disability at 40%, the Tribunal erred in awarding compensation taking into consideration 40% physical disability. It is further contended that the Tribunal erred in awarding compensation of Rs.1,50,000/- towards loss of income and

2/5



CMP. No.30378 of 2025 in CMA No.3652 of 2025

Rs.1,00,000/- towards loss of amenities after having awarded compensation by

applying multiplier method. He further contended that a sum of Rs.1,50,000/-

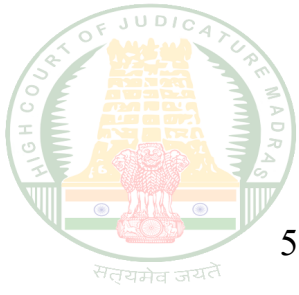
awarded by the Tribunal towards pain and sufferings is also on the higher side.

Hence, he prayed that the award passed by the Tribunal requires consideration

by this Court.

3. Considering the submissions made by the learned counsel for the petitioner/appellant, an interim stay is granted on a condition that the petitioner/appellant shall deposit 50% of the award amount to the credit of MCOP.No.612 of 2022, on the file of the Exclusive Motor Accident Claim Tribunal, Dharmapuri, on or before 14.12.2025, failing which the interim stay shall automatically stand cancelled without reference to this Court.

4. Mr. R. Prabakar, learned counsel takes notice for the 1st respondent.



CMP. No.30378 of 2025 in CMA No.3652 of 2025

5. Post the matter on 15.12.2025. Notice to the 2nd respondent by then.

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Private notice is also permitted.

05.12.2025

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To

1. The Presiding Officer,
Exclusive Motor Accident Claim Tribunal, Dharmapuri.
2. The Section Officer, VR Section, High Court, Madras.

K.GOVINDARAJAN THILAKAVADI, J.

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CMP. No.30378 of 2025 in CMA No.3652 of 2025

CMP. No.30378 of 2025 in
CMA No.3652 of 2025

05.12.2025

(2/2)