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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HONOURABLE MRS. JUSTICE K. GOVINDARAJAN THILAKAVADI

C.M.P.No.32626 of 2025
in
CMA No.3878 of 2025

The Branch manager,
Royal Sundaram General Insurance Co. Ltd.
Bus Plaza, 3rd Floor,
No.5G, Lawson Road,
Cantonment,
Trichy

Appellant

Vs.

1. Pazhanisamy
2. Kamatchi
3. Minor Manojkumar
4. Minor Nishanthi

Respondents

PRAYER

To order stay all further proceedings in pursuance of the award passed in M.C.O.P.No.342 of 2023 dated 06.08.2025 made on the file of the Motor Accident Claims Tribunal, Principal District Judge, Perumbalur, pending disposal of the above C.M.A.

For Appellant(s) : Mr.S.Srinivasan

ORDER

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This Civil Miscellaneous Appeal is preferred to set aside the award in M.C.O.P.No.342 of 2023 dated 06.08.2025 made on the file of the Motor Accident Claims Tribunal, Principal District Judge, Perumbalur.

2. The learned counsel appearing for the appellant submitted that, the learned Tribunal erred in passing an order for compensation of Rs.15,00,000/- with 7.5% interest per annum from the date of petition i.e. 19.12.2023 till the date of award, wherein the deceased had only been holding a Learner's License on the day of the accident, with no duly licensed instructor with him on the motorcycle bearing Registration No. TN 46 AC 8938. He further submitted that the deceased was the owner and rider of the insured motor cycle and not a third party and therefore the petition was not maintainable before the Tribunal and that no other vehicle was involved in the accident.

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/Insurance Company shall deposit the 50% of the amount awarded by the Tribunal to the credit of M.C.O.P.No.342 of 2023 dated 06.08.2025 made on the file of the Motor Accident Claims Tribunal, Principal District Judge, Perumbalur, 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 18.02.2026. Private notice is also permitted.

5. List on 18.02.2026.

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vsn

K.GOVINDARAJAN THILAKAVADI J.
vsn

C.M.P.No.32626 of 2025 in
CMA No. 3878 of 2025

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