



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

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CORAM

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

**CMA No. 3908 of 2025
AND
CMP NO. 32971 OF 2025**

United India Insurance Company,
No.5, Big Bazar Street, Dharapuram,
Tiruppur District.
Now at No.178, Regional office, Dr.Nanjappa
Road, Coimbatore-641 018

..Appellant(s)

Vs

1. Rajeshwari
W/o. Arumugam
2. Banupriya
W/o. Prabhu
3. Meenupreethi
D/o. Arumugam
1 to 3 are residing at
Geeva Colony, Maragatham Nagar,
Chithravathanpalayam, Dharapuram Taluk,
Tiruppur Dt.-638 657.
4. Viswanathan
S/o. Krishnan
No.24, Office Street, Selampalayam and post,
Dharapuram Taluk, Tiruppur District.
5. Ramachandran
S/o. Periyasamy
No.1/113, Pallapalayam, Ponnivadi Village,
Dharapuram Taluk, Tiruppur District

..Respondent(s)

**PRAYER IN CMA No. 3908 of 2025**

Civil Miscellaneous Appeal filed under Sec.173 of Motor Vehicles Act, to allow the Civil Miscellaneous appeal by setting aside the order dated 28.11.2024 in M.C.O.P. No. 30 of 2019 passed by the Learned III Additional District and Sessions Judge Motor Accident Claims Tribunal, Tiruppur at Dharapuram.

PRAYER IN CMP No. 32971 of 2025

Civil Miscellaneous Petition filed under Sec.151 of C.P.C., to stay the operation of the order dated 28.11.2024 in M.C.O.P. No. 30 of 2019 passed by the Learned III Additional District and Sessions Judge, Motor Accident Claims Tribunal, Tiruppur at Dharapuram.

For Appellant(s): Mr. R Rajesh

ORDER

The captioned Civil Miscellaneous Petition is filed to stay the execution of the decree dated 28.11.2024 made in MCOP No.30 of 2019, on the file of the III Additional District and Sessions Judge, Motor Accident Claims Tribunal, Tiruppur at Dharapuram.

2. The learned counsel appearing for the petitioner/appellant submitted that the learned Tribunal, without any adjudication on dependency, has granted Rs.52,49,376/- towards loss of pecuniary benefits and without legal heir proof has granted Rs.1,80,000/- towards conventional damages. 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 compensation amount awarded by the Tribunal to the credit of MCOP No.30 of 2019, on the file of the III Additional District and Sessions Judge, Motor Accident Claims Tribunal, Tiruppur at Dharapuram, on or before 19.02.2026, failing which, the order of stay granted by this Court shall stand vacated automatically without further reference to this Court. On such deposit, the respondents are permitted to withdraw the same, as apportioned by the Tribunal, by filing a proper petition for withdrawal.

4. Notice to the respondents returnable by 20.02.2026. Private Notice is also permitted. Compliance report by then.

20-01-2026

RPP

To

1. III Additional District and Sessions Judge, Motor Accident Claims Tribunal, Tiruppur at Dharapuram.
2. The Section Officer, VR Section, Madras High Court.



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K.GOVINDARAJAN THILAKAVADI J.

RPP

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