



CMP(MD)No..
in CMA(MD)No.490 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20-04-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CMP(MD) No.5002 of 2026

in

CMA(MD) No.490 of 2026

The Branch Manager,
SBI General Insurance Co. Ltd.,
No.29B, 2nd Floor, Rohan's Arcade,
Thillai Nagar Main Road,
Opposite of HP petrol bunk, Thillai Nagar,
Trichy.

**Petitioner/
Appellant**

Vs

1.Poongothai

2.S.Thilsath Begum

**Respondents/
Respondents**

Prayer in CMP(MD)No.5002 of 2026 : This Civil Miscellaneous Petition filed under Section 151 of C.P.C. praying to grant stay of all further proceedings pursuant to the order made in the M.C.O.P.No.457 of 2022 dated 11.12.2024, on the file of the Motor Accident Claims Tribunal cum Special Sub Judge, Tiruchirappalli pending disposal of the above appeal.

Prayer in CMA(MD)No.490 of 2026 : This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act praying to set aside the order made in



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M.C.O.P.No.457 of 2022 dated 11.12.2024, on the file of the Motor Accident Claims Tribunal cum Special Sub Judge, Tiruchirappalli.

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For Petitioner: Mr.N.Shyllappakalyan, Advocate

ORDER

The above petition has been filed to stay the award dated 11.12.2024 passed in M.C.O.P.No.457 of 2022 on the file of the Motor Accident Claims Tribunal / Special Sub Court, Tiruchirappalli, pending disposal of the civil miscellaneous appeal.

2. Heard the learned counsel appearing for the petitioner.

3. The learned counsel appearing for the petitioner would submit that they are challenging the liability and that the Tribunal, without taking note of the subsequent amendment in the Motor Vehicles Act, has proceeded to apply the doctrine of pay and recovery.

4. Perused the records.

5. Considering the facts and circumstances of the case, there shall be an order of interim stay on condition that the petitioner / Insurance Company shall deposit the **entire award amount** together with interest and costs to the credit of **M.C.O.P.No.457**



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of 2022 on the file of the Motor Accident Claims Tribunal / Special Sub Judge, Tiruchirappalli, within a period of **four weeks** from the date of receipt of a copy of this order, failing which, the interim order granted shall stand vacated automatically without any further reference to this Court.

6. Issue notice to the respondents returnable by four weeks. Private notice is also permitted.

20-04-2026
(2/2)

CSM

To

1.The Special Sub Judge,
Motor Accident Claims Tribunal,
Tiruchirappalli.