

CMP(MD) No.5805
in CMA(MD)No.579 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30-04-2026

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**CORAM
THE HONOURABLE MR JUSTICE K.MURALI SHANKAR**

CMP(MD) No.5805 of 2026

in

CMA(MD) No.579 of 2026

The New India Assurance Company Ltd.,
through its Branch Manager,
D.No.96 B, Rajapalayam Main Road,
North side Sivagiri – 627 757.

: Petitioner

Vs

1.Bharathirajan
2.Balakrishnan
3.Mariappan

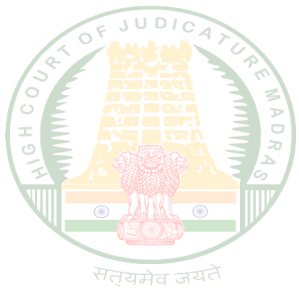
: Respondents

This Civil Miscellaneous Petition filed under Section 151 C.P.C., praying to stay the operation of the award, dated 02.07.2025 made in M.C.O.P.No.256 of 2021, on the file of the Motor Accident Claims Tribunal Authority Additional District Judge (FTC) Tenkasi, pending disposal of the civil miscellaneous appeal.

For Petitioner : Mr.N.Shyllappakalyan.

For Respondents : Mr.Baburaj, for R1.

: No Appearance, for R2 and R3.



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ORDER

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The above petition has been filed to stay the operation of the award, dated 02.07.2025 made in M.C.O.P.No.256 of 2021, on the file of the Motor Accident Claims Tribunal Authority Additional District Judge (FTC) Tenkasi, pending disposal of the civil miscellaneous appeal.

2. No representation for the respondents 2 and 3.

3. Mr.Baburaj, learned counsel would submit that they have already filed vakalat for R1.

4.Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the first respondent and also perused the records.

5.The learned counsel for the Appellant/Insurance Company would submit that the Motor Accident Claims Tribunal erroneously granted Rs.1,00,000/- as if the requirements of personal accident coverage fulfilled.

6. 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



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M.C.O.P.No.256 of 2021, on the file of the Motor Accident Claims Tribunal Authority Additional District Judge (FTC) Tenkasi, within a period of four weeks, failing which, the interim order granted shall stand vacated automatically without any further reference to this Court.

7. Notice.

30-04-2026

DAS

To

Motor Accident Claims Tribunal Authority Additional District Judge (FTC)
Tenkasi.