



CMP(MD) No.5399
in CMA(MD)No.533 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27-04-2026

WEB COPY

CORAM
THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CMP(MD) No.5399 of 2026
in CMA(MD) No.533 of 2026

Iffco-Tokio General Insurance Company Limited,
No.19/1, Pudur High Road,
Ramalinga Nagar, Uraiyur,
Trichy – 17.

: Petitioner

Vs

1.Periyasamy

2.V.Poraikilan

: Respondents

Prayer in C.M.P(MD)No.5399 of 2026 : This Civil Miscellaneous Petition filed under Section 151 C.P.C., praying to stay the operation of the award, dated 15.12.2025 made in M.C.O.P.No.5 of 2024, on the file of the Subordinate Court, Thuraiyur, pending disposal of the civil miscellaneous appeal.

Prayer in C.M.A(MD)No.533 of 2026 : This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, against the award, dated 15.12.2025 made in M.C.O.P.No.5 of 2024, on the file of the Subordinate Court, Thuraiyur, pending disposal of the civil miscellaneous appeal.

For Petitioner : Mr.V.Sakthivel.

ORDER

The above petition has been filed to stay the operation of the award, dated 15.12.2025 made in M.C.O.P.No.5 of 2024, on the file of the Subordinate Court,



CMP(MD) No.5399
in CMA(MD)No.533 of 2026

Thuraiyur, pending disposal of the civil miscellaneous appeal., pending disposal of the civil miscellaneous appeal.

2. Heard the learned counsel appearing for the petitioner and also perused the records.

3.The learned counsel appearing for the petitioner would submit that the Tribunal, without considering the subsequent amendments, has proceeded to apply the doctrine of pay and recovery. He would further submit that the petitioner/appellant is ready to deposit the entire award amount.

4. 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.5 of 2024, on the file of the Subordinate Court, Thuraiyur, on or before 15.06.2026, failing which, the interim order granted shall stand vacated automatically without any further reference to this Court.

5. Notice.

27-04-2026

DAS

To

Subordinate Court, Thuraiyur.

2/2