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CMP(MD) No.251
in CMA(MD) No.1345 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15-04-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

C.M.P(MD) No.2590 of 2026
in C.M.A(MD)No.1345 of 2025

1.Lingam

2.Anusuya

3.Ajit Kumar

4.Karupayee

5.Guruvammal

: Petitioners

Vs

1.The Branch Manager,
Ms/.Shri ram General Insurance Co.Ltd.,
30, HAK Road, Chinnachokkikulam,
Near ICICI Bank, Madurai – 2.

2.Mahendran

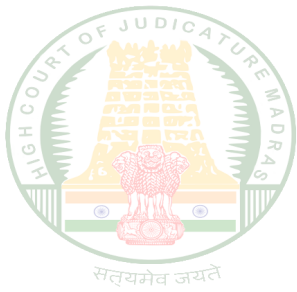
: Respondents

Civil Miscellaneous Petition filed under Section 151 of C.P.C., to permit the petitioners to withdraw the 50% of the award amount in M.C.O.P.No.116 of 2023 on the file of the Motor Accidents Claims Tribunal (Principal District Judge) Virudhunagar.

For Petitioners : Mr.A.Balakrishnan,

For Respondents : Mr.R.Ramadurai, for R1.

: No Appearance, for R2.



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ORDER

This Civil Miscellaneous Petition has been filed seeking orders to permit the petitioners to withdraw the 50% of the award amount in M.C.O.P.No.116 of 2023 on the file of the Motor Accidents Claims Tribunal (Principal District Judge) Virudhunagar.

2.It is seen from the records that this Court while granting interim stay, directed the first respondent/appellant to deposit the entire award amount to the credit of M.C.O.P.No.116 of 2023 on the file of the Motor Accidents Claims Tribunal (Principal District Judge) Virudhunagar and in pursuance of the same, the first respondent/appellant deposited the amount. Now the claimants have filed the above application seeking permission to withdraw the amount.

3. Heard the learned counsel for the petitioners as well as the learned counsel appearing for the first respondent and also perused the materials available on records.

4.The learned counsel appearing for the first respondent/appellant would mainly contend that they have raised a plea that the claim petition is barred by time.

5. As rightly pointed out by the learned counsel for the petitioners, the Tribunal, considering the objections with regard to the limitation, has come to a



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specific finding that the claim petition was filed within time as complaint was lodged on the very next day of the accident and moreover, it is a matter to be decided in the appeal.

6. Considering the facts and circumstances of the case and also the reasons assigned, this Court is inclined to grant permission. Accordingly, this petition is ordered and the petitioners are permitted to withdraw 50% of the award amount, which is lying in the credit of M.C.O.P.No.116 of 2023 on the file of the Motor Accidents Claims Tribunal (Principal District Judge) Virudhunagar, as per the apportionment fixed by the Tribunal on filing necessary application before the Tribunal.

15-04-2026

das

To
Motor Accidents Claims Tribunal
(Principal District Judge) Virudhunagar.