

CMP(MD)No..
in CMA(MD)No.572 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29-04-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CMP(MD) No.5687 of 2026

in

CMA(MD) No.572 of 2026

The Branch Manager,
The New India Assurance Co. Ltd.,
Madurai Branch Office,
D.No.350, 1st Floor,
College Street Tahsildar Nagar,
Madurai-625010.

**Petitioner/
Appellant**

Vs

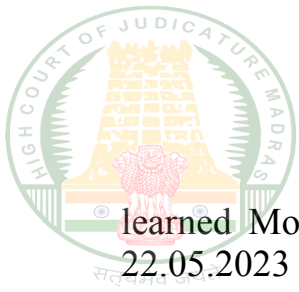
1.N.K.Madhu Anandh

2.Sethuraman

**Respondents/
Respondents**

Prayer in CMP(MD)No.5687 of 2026 : This Civil Miscellaneous Petition filed under Section 151 of Civil Procedure Code praying to stay the operation of all further proceedings pursuant to the order passed by the learned Motor Accident Claims Tribunal / Chief Judicial Magistrate, Madurai in M.C.O.P.No.152 of 2021 dated 22.05.2023 pending disposal of the main appeal.

Prayer in CMA(MD)No.572 of 2026 : This Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act praying to set aside the order passed by the



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learned Motor Accident Claims Tribunal / Chief Judicial Magistrate, Madurai dated 22.05.2023 in M.C.O.P.No.152 of 2021, as against the appellant and allow the appeal.

For Petitioner: Mr.N.Dilipkumar, Advocate

For Respondents: Mr.M.Rajaraman, Advocate for R1

R2 Given up

ORDER

The above petition has been filed to stay the award dated 22.05.2023 passed in M.C.O.P.No.152 of 2021 on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate, Madurai, pending disposal of the civil miscellaneous appeal.

2. Mr.M.Rajaraman, learned counsel takes notice for the first respondent.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first respondent.

4. The learned counsel appearing for the petitioner would submit that the first respondent / claimant himself has admitted that 50% of the medical expenses was reimbursed and despite the admission, the Tribunal has proceeded to grant medical expenses as claimed.

5. Perused the records.



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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 M.C.O.P.No.152 of 2021 on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate, Madurai, on or before 10.06.2026, failing which, the interim order granted shall stand vacated automatically without any further reference to this Court. On such deposit being made, the first respondent / claimant is permitted to withdraw the amount deposited by the petitioner / Insurance Company with interest and costs excluding the amount awarded towards medical expenses on filing necessary application before the Tribunal.

29-04-2026
(2/2)

CSM

To

1.The Chief Judicial Magistrate,
Motor Accidents Claims Tribunal,
Madurai.