



WEB COPY

CMA(MD) NC



025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-04-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

AND

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

CMA(MD) NO. 1171 of 2025

1. The Branch Manager
The New India Assurance Company Limited
No.12 Parvathy Palaza
70 Feet Road
Ellis Nagar
SBO 2nd Colony
Madurai.

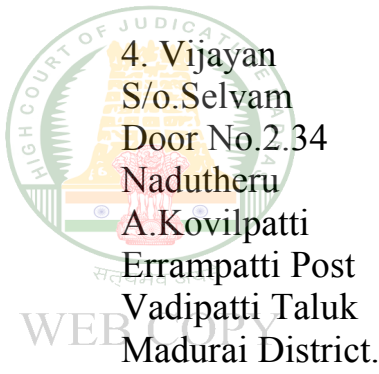
Appellant(s)

Vs

1. Karthiga
W/o.Ragupathi
Door No.3/155.4
North Street
Kondaiyampatti High School road
Vadipatti Taluk
Madurai District.

2. Selvam
S/o.Samiyappan
Door No.2.34 Naduthuru
A.Kovilpatti
Errampatti Post
Vadipatti Taluk
Madurai District.

3. Latha
W/o.Selvam
Door No.2.34 Naduthuru
A.Kovilpatti Errampatti Post
Vadipatti Taluk
Madurai District.



4. Vijayan
S/o.Selvam
Door No.2.34
Naduthuru
A.Kovilpatti
Errampatti Post
Vadipatti Taluk
Madurai District.

5. Minor.Laswan Ragu
S/o.Late.Ragupathi
Represented by his Mother and Natural Guardianm
the 1st respondent Karthiga
Door No.3/155.4 North Street
Kondaiyampatti High School Road
Vadipatti Taluk
Madurai District.

6. Raja
S/o.Gengaibalan
Door No.115A
Katchaikatti Village
Vadipatti Taluk
Madurai District.

Respondent(s)

For Appellant(s): Mr.G.Prabhu Rajadurai

For Respondent(s): M/s.R.Manoharan for R1 to R5

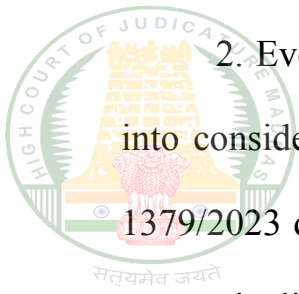
M/s.M.Paramasivam for R6

Prayer:Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the Award dated 08.01.2024 passed in MCOP No.2060 of 2021 on the file of the Motor Accident Claims Tribunal, Special District Judge, Madurai and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of this case and render justice.

ORDER

(Order of the Court was made by N.Anand Venkatesh J.)

The issue that is involved in the present appeal has been referred to a Larger Bench and it is pending before the Apex Court.



2. Even though the learned counsel for the appellant insisted that the said order be taken into consideration and an appeal was disposed of by one of us (NAVJ) in CMA(MD) No. 1379/2023 dated 16.07.2024 and that this appeal can also be disposed in the same terms, we are not inclined to resort to such a procedure. We would rather await for the final result from the Larger Bench of the Apex Court.

3. Considering the fact that this appeal will be pending till the reference is answered by the Larger Bench and considering the interest of the claimants, we are inclined to permit the respondents 1,2,3 and 5/claimants to withdraw 50% out of the compensation along with accrued interest deposited by the appellant in the proportion granted by the Tribunal. This interim direction is issued without prejudice to the rights of both sides.

List this appeal for hearing on 25.06.2026.

(N.ANAND VENKATESH J.) (K.K.RAMAKRISHNAN J.)
09-04-2026

RR

To

The Motor Accident Claims Tribunal,
Special District Judge, Madurai