

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 4TH DECEMBER 2009 / 13TH AGRAHAYANA 1931

WP(C).No. 35019 of 2009(V)

OPMV.296/2005 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PERUMBAVOOR

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PETITIONER(S):

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1. SIJI GIREESH, W/O.LATE P.V.GIREESH,  
PALAPURATH HOUSE, EDATHALA.
2. AKIL GIREESH (MINOR),  
S/O.LATE P.V.GIREESH, PALAPURATH HOUSE,  
EDATHALA.
3. AMAL GIREESH (MINOR),  
S/O.LATE P.V.GIREESH, PALAPURATH HOUSE,  
EDATHALA REPRESENTED BY IST PETITIONER.
4. K.K.GIRIJA, W/O.LATE VIJAYAN,  
PALAPURATH HOUSE, EDATHALA.

BY ADVS. MR.T.ABY JACOB  
SMT.K.G.SAROJINI

RESPONDENT(S):

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1. V.K.JOHN, VANACHERACKAL HOUSE,  
KANGARAPADY.
2. SARANGAN, VADDAKKEKARA HOUSE,  
VADACODE.
3. ROYAL SUNDARAM ALLIANCE,  
INSURANCE CO.LTD., COCHIN-11.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 04/12/2009, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**S. SIRI JAGAN, J**

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**W.P(C) No. 35019 of 2009**

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**Dated this the 4<sup>th</sup> day of December, 2009**

**J U D G M E N T**

Petitioners are claimants in O.P.(M.V.) No. 296 of 2005 before the Motor Accidents Claims Tribunal, Perumbavoor. Compensation has been awarded to the petitioners, a major part of which is directed to be kept in fixed deposit in a Bank, as per the award. The petitioners have filed an application before the Motor Accidents Claims Tribunal for release of the fixed deposit on the ground that the petitioner want money to take a house on mortgage. The same was rejected by the Tribunal on the ground that the same is not sufficient ground to order disbursal of the amounts kept in fixed deposit. After reading the copy of the application filed by the petitioner and the impugned order, I do not find any infirmity in that order. Therefore the writ petition is dismissed.

rhs

Sd/-  
**S. SIRI JAGAN, JUDGE**

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PA to Judge