

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

MACA.No. 1942 of 2012 ()

AGAINST THE AWARD IN OPMV 1091/2011 of M.A.C.T., ERNAKULAM
DATED 25.04.2012

APPELLANT(S)/PETITIONERS:

1. MRS.DEEPA SINU,
AGED 26 YEARS, W/O. LATE SINU.T.T, THOPPIL HOUSE
ELOOR NORTH, UDYOGAMANDAL.P.O, ERNAKULAM.

2. MR.THILAKAN
AGED 65 YEARS, F/O. LATE SINU.T.T, THOPPIL HOUSE
ELOOR NORTH.

3. MRS.AMBIKA THILAKAN
AGED 58 YEARS, M/O. LATE SINU.T.T, THOPPIL HOUSE
ELOOR NORTH.

4. DIPU THILAKAN, AGED 31 YEARS,
B/O. LATE SINU.T.T, THOPPIL HOUSE, ELOOR NORTH.

BY ADV. SRI.K.V.RAJAN

RESPONDENT(S)/RESPONDENTS:

1. MR.SREEKUMAR
S/O. MURALEEDHARAN, 5/177-THERODATH HOUSE
THOTTAKKATTUKARA, ALUVA.P.O,
ERNAKULAM DISTRICT-683 108.

2. BOBAN VARGHESE.K.J
S/O. JOSEPH.K.V, KADEPARAMBIL HOUSE, MANJUMMEL
UDYOGAMANDAL.P.O, ERNAKULAM-683 501.

3. SHRIRAM GENERAL INSURANCE COMPANY LIMITED
41-339-AZAD TOWERS, AMMANKOVIL CROSS ROAD,
ERNAKULAM-682 011.

R1 BY ADV. SRI.S.EASWARAN
R1 BY ADV. SRI.M.A.AUGUSTINE
R2 BY ADV. SRI.N.G.SURENDRAN
R2 BY ADV. SRI.T.A.SHAIN
RR3 BY ADV. SRI.RAJAN P.KALIYATH

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY
HEARD ON 09-04-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

T.R.RAMACHANDRAN NAIR & P.V ASHA, JJ.

M.A.C.A No.1942 of 2012

Dated this the 9th day of April, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is from the award in O.P(MV) No.1091/2011 of the Motor Accident Claims Tribunal, Ernakulam. The appellants are the claimants before the Tribunal. A joint memo has been filed by the appellants and the 3rd respondent stating that the parties have mutually agreed to settle the appeal on certain terms and conditions, which we incorporate herein below:

1. The appellants/claimants have agreed to receive a sum of Rs.1,00,000/- (Rupees one lakh only) in full and final settlement of the claim made in this appeal. The division of the amount between the claimants shall be in same ratio as contained in the award of the Motor Accidents Claims Tribunal.

2. The third respondent Shriram General Insurance Company Ltd., have agreed to deposit the sum of Rs.1,00,000/- (Rupees one lakh only) in full and final settlement of the above claim.

3. The third respondent shall deposit the above amount

within two months from the date of this compromise. In case of failure to deposit the amount shall carry interest at the rate of 6% from the date of default.”

In the light of the settlement, the appeal is disposed of as above.

Sd/-
T.R.RAMACHANDRAN NAIR
Judge

Sd/-
P.VASHA
Judge

rtr/

/true copy/

P.S to Judge