

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

C.M.A. No. 2474 of 2014

&

M.P. No. 1 of 2014

1. R. Sundaram

2. S. Krishnaveni ..Appellants/Respondents

Vs.

M. Rajan ..Respondent/Petitioner

Prayer: Civil Miscellaneous Appeal filed under Section 173 of MV Act 1988 as against the judgment and decree dated 01.03.2014 passed in M.C.O.P. No. 413 of 2013 by the Motor Accidents Claims Tribunal (Special Subordinate Judge), Coimbatore.

For Appellants :: Mr.C.R. Prasanan

For Respondent :: Mr.Ma.P.Thangavel

J U D G M E N T

This Civil Miscellaneous Appeal has been preferred by the respondents in the claim petition as against the award of Rs.83,000/- granted by the Tribunal.

2. By order dated 11.09.2014, this Court, while granting an order of interim stay, directed the appellants to deposit a sum of Rs.25,000/- along with proportionate interest and costs, which amounts to Rs.27,520/- and the said order has been complied with.

3. Today, when the matter is taken up, learned counsel for the appellants as well as the learned counsel for the respondent would submit that the issue between the parties has been settled before the Trial Court and they have produced a copy of the Memorandum of Settlement, signed by both parties, by which the claim has been settled for a sum of Rs.80,000/-, to be paid by the appellants to the respondent. Further, as per paragraph No.5 of the Memorandum of Settlement, the respondent has expressed no objection for withdrawal

of the amount of Rs.27,520/- by the appellants, which was deposited pursuant to the order passed by this Court on 11.09.2014.

4. In view of the settlement arrived at between the parties, the Motor Accidents Claims Tribunal (Special Subordinate Judge), Coimbatore, shall permit the appellants to withdraw the sum of Rs.27,520/-, which is lying in deposit before it. The Memorandum of Settlement entered into between the parties is hereby recorded. The Civil Miscellaneous Appeal is disposed of. No costs. Connected M.P. is closed.

Sd/-
Assistant Registrar

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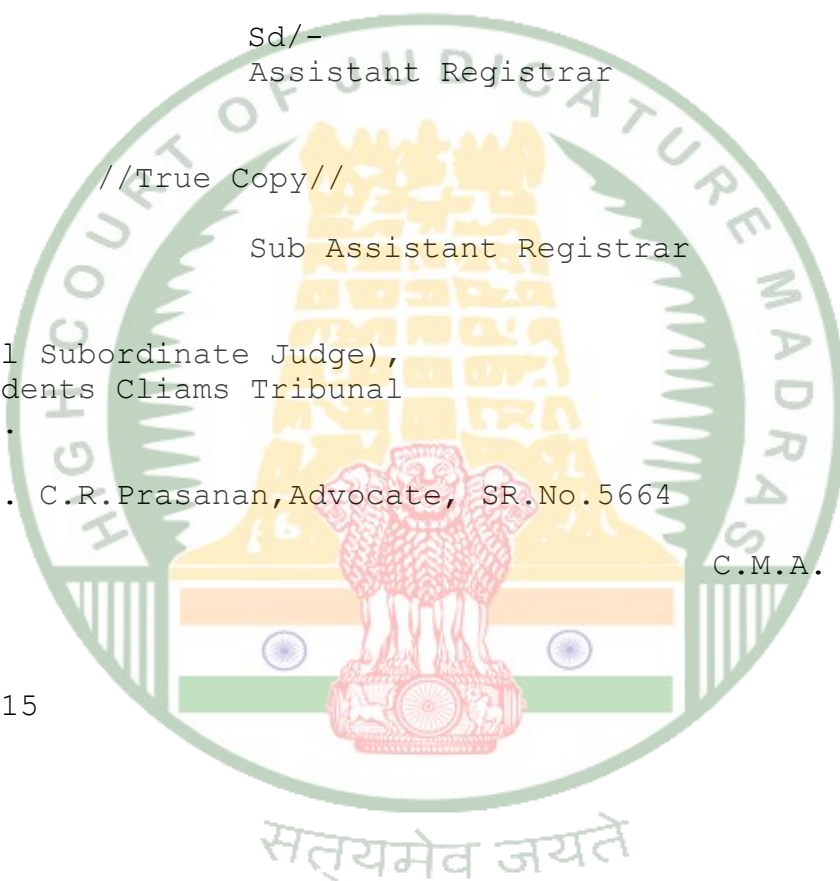
Sub Assistant Registrar

nv
To
The Special Subordinate Judge),
Motor Accidents Claims Tribunal
Coimbatore.

1 cc to Mr. C.R.Prasanan, Advocate, SR.No.5664

C.M.A. No. 2474 of 2014

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