

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T. MATHIVANAN

C.M.A.No.2768 of 2015
and M.P.No.1 of 2015

Bajaj Allianz General Insurance Company Limited,
No.2/C, KRR Layout, Tirupur,
Coimbatore District.Appellant/3rd Respondent

...vs...

1.Kamala
2.Palanisamy
3.S.Muthusamy Respondents/Petitioner/
1 & 2 Respondent

Prayer: Civil Miscellaneous Appeal is filed against the judgment and decree dated 10.10.2014 made in M.C.O.P.No.251 of 2005 on the file of the Motor Accidents Claims Tribunal (Chief Judicial Magistrate), Tirupur.

For Appellant :Mr.Srinivasan Ramalingam
For R1 :Mr.Ma.P.Thangavel

JUDGMENT

This appeal is filed by the third respondent/Insurance Company under Section 173 of Motor Vehicle Act, 1988 as against the award of Rs.5,00,000/- passed by the Motor Accidents Claims Tribunal.

2. It appears that the claim was settled before the Taluk Legal Services Committee, Tirupur.

3. The appellant/Insurance Company has also conceded that an award was passed before the Lok Adalat organized by Taluk Legal Services Committee. Since, the claim was settled before the Taluk Legal Services Committee, Tirupur, the learned counsel for the petitioner seeks permission of this Court to withdraw this Civil Miscellaneous Appeal and he has also made an endorsement to that effect.

4. In view of the endorsement made by the learned counsel for the petitioner, this Civil Miscellaneous Appeal is dismissed as withdrawn. Consequently, connected Miscellaneous Petition is closed.

It is to be noted that the amount of Rs.25,000/- which is already deposited by the appellant as a condition precedent for filing the appeal, shall be refunded.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To:

The Chief Judicial Magistrate(MACT),
Tirupur.

Copy to

the Section Officer,
VR Section,
High Court, Madras.

+1cc to Mr.Srinivasa Ramalingam, Advocate SR.41660
+1cc to Mr.Ma.Pa. Thangavel, Advocate Sr.42212

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srg 10/08/2016

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