



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty Seventh day of August Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMA(MD) . No.329 of 2020

Shriram General Insurance Com Ltd
Through its Branch Manager
Nagappa Complex 2nd Floor No.1076
Mettupalayam Road, Coimbatore North,
Coimbatore.

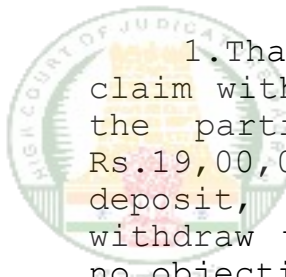
: Appellant/Respondent No.2

Vs

1. Panchavarnam : Respondent No.1/Petitioner No.1
2. Minor S.Saaliini,
(Minor is represented through her
Mother and natural guardian the
first respondent herein)
3. Ayyammal : R3/Petitioner No.3
4. Durairaj : R4/Petitioner No.4
5. Sundarapandian : Respondent No.5/Respondent No.1

Prayer : Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 praying to set aside the Judgment and Decree passed by the Motor Accident Claims Tribunal, Sub Court, Aruppukkottai, in MCOP.No.84 of 2015 dated 04.10.2017.

DECREE: This Civil Miscellaneous Appeal came up for hearing on this day and upon perusing the Grounds of Appeal, the judgment and Decree of the Tribunal and the material papers in the Appeal and upon hearing the arguments of MR.D.SIVA RAMAN, Advocate for the Appellant and of MR.I.SUTHAKARAN, Advocate for the Respondent Nos 1,3 and 4 and the Appellant and the Respondents herein having settled their differences and entered in to a compromise between themselves and through their respective Advocates and having filed a Memo of Compromise duly signed by the said parties as well as by the Advocates on either side and the records relating to the case and the Memo of Compromise the original of which is affixed and annexed herewith, and this court while disposing this Appeal in terms of Joint Compromise Memo filed by the parties doth order and decree as follows.



1.That the Respondents 1 to 4 herein came forward to settle the claim with the Appellant. After negotiations and deliberations both the parties have agreed to settle the claim for a sum of Rs.19,00,000/- (Rupees Nineteen Lakhs only) in full quit. On such deposit, the major claimants namely the Respondents 1,3 & 4 can withdraw their respective share amount for which the Appellant has no objections.

2.That the Appellant herein has already deposited a sum of Rs.25,000 (Rupees Twenty Five Thousand only) before MACT, Sub Court, Aruppukkottai into the credit of MCOP.No.84 of 2015. The Appellant herein agrees to deposit the balance amount of Rs.18,75,000/- (Rupees Eighteen Lakhs Seventy Five Thousand only) in to the credit of MCOP.No.84 of 2015 within a period of eight weeks from the date of receipt of a copy of the order of this Hon'ble Court.

3.That the Respondents 1 to 4 herein are agreeable for the above said terms and they will have no further claim with respect to the same cause of action.

4.That the share of the minor respondent/second respondent is concerned ,the same shall be deposited in a Nationlised Bank till she attain majority.

5.That the first respondent being mother and natural guardian of the minor claimant herein be and hereby is permitted to withdraw the interest accrued in the deposit once in six months; and

6.That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The Subordinate Judge,
(Motor Accidents Claims Tribunal), Aruppukkottai.

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2)



WEB COPY

ORDER DATED : 27/08/2020

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DECREE

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CMA(MD) . No.329 of 2020

Disposing this Appeal in terms of Memo of Compromise between the parties preferred against the judgment and decree passed by the Motor Accident Claims Tribunal, Sub Court, Aruppukkottai, made in MCOP.No.84 of 2015 dated 04.10.2017 etc, as stated within.

CS(22.09.2020) 3P 4C