



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2020

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND**

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

C.M.A(MD)No.18 of 2016

and

C.M.P(MD)No.272 of 2016

Bharath R.M.Wilson ... Appellant / 2nd Respondent

Vs.

1.T.Sujatha

2.Minor S.K.Issac Chandru

3.Minor S.K.Merlin ... Respondents 1 to 3 / Petitioners

4.J.Justin Raj

5.Parasivam ... Respondents 4 & 5 / Respondents 1 & 3

(Minor RR 2 & 3 are rep. through
their mother / first respondent)

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgment and Decree made in M.C.O.P.No.18 of 2012 on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate, Nagercoil, dated 05.03.2015.

For Appellant : Mr.R.Murugan

For RR 1 to 3 : Mr.C.K.M.Appaji

For RR 4 & 5 : No appearance

JUDGMENT

(Judgment of the Court was delivered by
M.DURAI SWAMY, J.)

The learned counsel appearing for the appellant seeks the permission of this Court to withdraw the Civil Miscellaneous Appeal for the reason that the parties had settled the matter out of Court. Further, the learned counsel submitted that the Registry may be directed to refund 50% of the Court fee as per Section 69 of the Tamil Nadu Court Fees and Suit Valuation Act, 1955 and he has also made an endorsement to that effect.



2.In view of the same, the Civil Miscellaneous Appeal is dismissed as settled out of Court. The appellant is entitled to get refund of the Court fee as per Section 69 of the Tamil Nadu Court Fees Act. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (co)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ps

To

The Chief Judicial Magistrate,
Nagercoil.

Copy to

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

+1 CC to Mr.R.MURUGAN, Advocate (SR-8558[F] dated 26/02/2020)

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