



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Twenty First day of December Two Thousand and Twenty

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMA(MD). No.122 of 2015

- 1 IRULAYEE, W/O.LATE BOOMI,
- 2 PITCHAIMMAL, D/O.LATE BOOMI,
- 3 SETHURAMAN, S/O.LATE BOOMI,
- 4 MINOR RAMU S/O.LATE BOOMI,

All Kutchampattipudhur Village, Tiruchuli Taluk,
Virudhunagar District.

(4th Appellant minor represented by her mother
and natural guardian of 1st Appellant) ... Appellants/Claimants

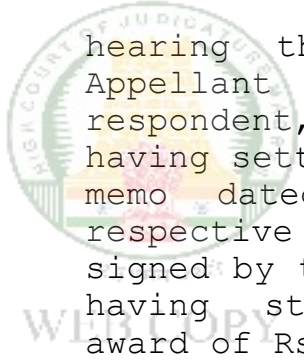
Vs

- 1 R. SANJEEVI
S/O.RAMASAMY, OWNER MAHENDRA MAX CAB, NO.,
1/36, JOKILPATTI VILLAGE, KARIYAPATTI TK,.,
VIRUDHUNAGAR DIST..
- 2 THE DIVISIONAL MANAGER,
M/S.SRI RAM GENERAL INSURANCE CO.LTD.,
1000 3E, 8 RIICO INDUSTRIAL AREA,
SITAPURA, JAIPUR,,
RAJASTHAN - 302 022.
THROUGH THE BRANCH MANAGER,
M/S.SRIRAM GENERAL INSURANCE COMPANY LTD.
SUGUNA STORE BUILDING,
2ND FLOOR, ANNA NAGAR,
MADURAI - 20.

(1st Respondent -owner of the vehilce
set ex parte before the trial Court) ... Respondents/Respondents

Prayer:- Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the award and decree of the Motor Accident Claims Tribunal/Sub Court, Aruppukkottai, dated 13.09.2012 made in M.C.O.P.No.71 of 2010.

DECREE:-This Civil Miscellaneous Appeal having come up for final
<https://hcservices.ecourts.gov.in/hcservices/>
hearing on this date, upon perusing the grounds of Appeal, the award
of the Tribunal and the material papers to the Appeal and upon



hearing the arguments of Thiru.G.Marimuthu, Advocate for the Appellant and of Thiru.D.Sivaraman, Advocate for the second respondent, and the Claimants and the second respondent herein having settled their differences and entered into a joint compromise memo dated 25.08.2020, between themselves and through their respective counsels and having filed the memo of compromise duly signed by the parties as well as by their Advocates and the parties having stated in the memo that the Tribunal quantified the total award of Rs.6,35,000/- out of which the Respondents are bound to pay Rs.3,17,500/- each against which the above appeal has been filed by the claimants and that the second respondent has already deposited their entire liability as fixed by the Tribunal to the credit of M.C.O.P.No.71 of 2010, this Court while recording the said joint memo of compromise and disposing the Appeal in terms thereof doth order and decree as follows:

(1) That the Appellants herein/Claimants hereby agree to settle the claim by receiving a sum of Rs.5,00,000/- (Rupees Five Lakhs only) in full quit from the second respondent viz., Shiram General Insurance Company Limited, over and above the award passed by the Tribunal;

(2) That the Second Respondent hereby agrees to deposit a further a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of M.C.O.P.No.71 of 2010 on the file of the Motor Accident Claims Tribunal /Sub Court, Aruppukkottai, within a period of eight weeks from the date of receipt of a copy of this judgment;

(3) That the Appellants herein /Claimants agree that they will not have any further claim with respect to the same cause of action against both the respondents; and

(4) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

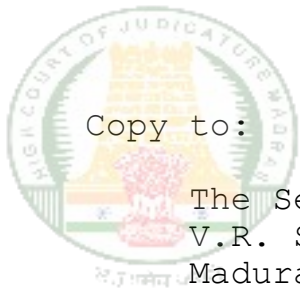
/ /2021

Sub Assistant Registrar (CS)

ENCL: Xerox copy of Joint Compromise Memo

TO

The Subordinate Judge,
Motor Accident Claims Tribunal,
Aruppukkottai



Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai - 2 Copies

WEB COPY

+1cc to D.Sivaraman , Advocate Sr.No. 26503

ORDER DATED : 21/12/2020

=====
DECREE
=====

CMA(MD) . No.122 of 2015

Nature of Decree:- Disposing the Civil Miscellaneous Appeal preferred against the judgment and decree of the Motor Accident Claims Tribunal/Sub Court Aruppukkottai, dated 13.09.2012 made in M.C.O.P.No.71 of 2010, etc as stated within.

VB (10.02.2021) 3P 5C