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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

C.M.A.No.411 of 2004

Sugumar, a minor by his Mother
and Next Friend G.Navaneetham

... Appellant

-vs-

1. S.Hemamalini

2. The United India Insurance Co.Ltd.,
38, Anna Salai, Chennai 600 002.

... Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, against the Judgment and Decree dated 27.02.2003 in M.C.O.P.No.1520 of 1999 on the file of Motor Accidents Claims Tribunal, Additional District cum Sessions Judge (II Judge Fast Track Court) at Chennai.

For Appellant : Ms.Ramya.V.Rao

For Respondents : M/s.N.Rosi Naidu for R2
R1 Not Ready in Notice.

J U D G M E N T

This appeal is laid as against the Judgment and Decree dated 27.02.2003 in M.C.O.P.No.1520 of 1999 on the file of Motor Accidents Claims Tribunal, Additional District cum Sessions Judge (II Judge Fast Track Court) at Chennai, thereby awarded the compensation to the tune of Rs.91,000/-

2. For the sake of convenience, the parties are referred to hereunder according to their litigative status before the Tribunal.

3. While pending the Civil Miscellaneous Appeal, the petitioner and the respondent have settled the issued by filing Joint Memo of Recording Settlement. The Joint Memo of Recording Settlement is as follows:



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"1. The above appeal has been filed by the petitioner / appellant for enhancement of compensation.

2. The tribunal passed an award for a sum of Rs.91,000/- along with interest & Costs as against the claim of Rs.5,00,000/-. Now the appellant and the respondent have negotiated for settlement and arrived at a sum of Rs.2,75,000/- (Two Lakh Seventy Five Thousand only) in full quit.

3. The Petitioner is willing to accept the sum of Rs.2,75,000/- as compensation in the full quit and the 2nd Respondent is willing to deposit the said amount to the credit of the above MCOP within four weeks from the date of communication of the award passed on the basis of this joint memo.

4. It is prayed that this Hon'ble High Court may be pleased to record this Memo of Compromise and pass award for Rs.2,75,000/- in full quit in favour of the Petitioner, payable by the 2nd respondent to the credit of the above MCOP within a period of four weeks from date of communication of the copy of the award and thus render justice.

Dated at Chennai this the 15th day of April 2021."

4. On such deposit as recorded in the Joint Memo of Recording Settlement, the petitioner is permitted to withdraw the same by filing appropriate application before the Tribunal.

5. With the above observations, this Civil Miscellaneous Appeal is disposed of in terms of the Joint Memo of Recording Settlement. There shall be no order as to costs. The Joint Memo of Recording Settlement shall form part of the decree.

Sd/-

Assistant Registrar(I)

//True copy//

Sub Assistant Registrar

rna

To

1. The Additional District cum Sessions Judge,
Motor Accident Claims Tribunal,
(II Fast Track Court)
Chennai.



2. The Section Officer,
V.R.Section,
Madras High Court,
Chennai.

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+2ccs to Ms.Ramya.V.Rao, Advocate, SR.No.23716

C.M.A.No.411 of 2004

JPL (CO)
RLP (16/07/2021)