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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2021

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.M.A.No.1735 of 2016

Kuzhanthaivelu (declared major
as per order in MP No.227/11, dt.6.1.12) ... Appellant/Claimant

vs.

1. Ahmed Akber Ali

2. National Insurance Co. Ltd.
751, Mount Road,
Chennai - 600 002.

...Respondents/Respondents

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the fair and decreetal order dated 31.01.2013 in MCOP No.2596 of 2008 on the file of the Motor Accidents Claims Tribunal / IV Judge, Court of Small Causes, Chennai.

For Appellant : Ms.Ramya V. Rao

For respondents : Mrs.Sreevidya for R2

R1 : Not Ready Notice (Left)

JUDGMENT

Parties to the Civil Miscellaneous Appeal have filed a Joint Memorandum of Compromise, dated 28.09.2021. All the parties have signed this Joint Memorandum of Compromise and the respective counsels have also signed the same. The same is recorded by this Court.

2. The said Joint Compromise Memo reads as follows:

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.94,900/- 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.1,25,000/- (One Lakh Twenty Five Thousand Only) in full quit over and above the award amount.

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3. The Petitioner is willing to accept the sum of Rs.1,25,000/- as compensation in 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.1,25,000/- 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 the date of communication of the copy of the award and on such deposit the Tribunal shall transfer the entire compensation amount to the bank account of the appellant/ claimant by way of RTGS/ NEFT on proper identification, in accordance with the terms of award without insisting formal permission petition and thus render justice.

3. In terms of the Memorandum of Compromise, dated 28.09.2021 which shall form part of the Judgment, this Civil Miscellaneous Appeal is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of Joint Memo for recording

ab/vsi2

To

1. Motor Accidents Claims Tribunal,
The IV Judge,
Court of Small Causes,
Chennai.



Copy To

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

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+2cc to Mr.Ramya V.Rao, Advocate SR.No.51680
+1cc to Mr.R.Ravichandran, Advocate SR.No.57162

C.M.A.No.1735 of 2016

SSI (CO)
GN (22/12/2021)