

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.1437 of 2021

1.M.Mamatha

2.S.Rathin

Minor rep by his mother and

Next friend M.Mamatha

3.N.Sarojamma

4.R.Ragavareddy

... Appellants/Petitioners

Vs.

1.Seenappa

2.Shri Ram General Insurance Co Ltd,

No.5, Ramachandra Street,

Saravana Nagar, Sivaram,

Perungudi, Chennai - 96.

... Respondents/Respondents

Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the Judgment and Decree order dated 09.07.2020 made in M.C.O.P.No.3224 of 2016, on the file of the Motor Accidents Claims Tribunal, II Court of Small Causes, Chennai.

For Appellants : M/s.Mira Aurobinal for
Mr.A.N.Viswanatha Rao

For Respondents: Mr.K.Poomalai
for R2

JUDGMENT

The learned counsel for the Appellants and the Respondents have filed Joint Memo for Recording Settlement entered between them and the same shall stand recorded has detailed below:

"This appeal has been filed by the claimants. The above MCOP has been filed claiming compensation for death of R.Suresh who died in an accident which took place on 24.01.2016.

2.The Tribunal passed an award dated 09.07.2020 for a sum of Rs.37,12,500/- along with interests and costs. Now the Appellants and 2nd Respondent have negotiated for settlement and arrived at a sum of

Rs.41,00,000/- in full quit.

3.It is prayed that this Hon'ble High Court may be pleased to record this Memo of Compromise and pass an award for Rs.41,00,000/- in full quit in favour of the petitioners, payable by the 2nd respondent to the credit of the above MCOP within a period of two weeks, on such deposit the major claimants 1, 3 and 4 are permitted to withdraw their respective shares as stated below the 1st Appellant/petitioner (M.Mamatha) is entitled to a share of Rs.22,00,000/- 2nd Appellant/petitioner (minor S.Rathin) is entitled to a share of Rs.15,00,000/- the 3rd and 4th Appellants/petitioners (N.Sarojamma & R.Ragavareddy) are entitled to receive Rs.2,00,000/- each. The 2nd Appellant/petitioner is a minor and his share to be deposited in Nationalised Bank in Reinvestment plan till he attains majority.'

2.Recording the above, this Civil Miscellaneous Appeal is disposed of in terms of the Joint Memo for Recording Settlement. No costs.

*Copy of the Joint Memo enclosed

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

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To:

1. The II Judge,
The Motor Accidents Claims Tribunal,
II Court of Small Causes, Chennai.
2. The Section Officer,
The V.R.Section,
Madras High Court.

+1cc to Mr.A.N.Viswanatha Rao, Advocate SR.No.25640

+1cc to Mr.K.Poomalai, Advocate SR.No.26098

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EV(CO)

GMV(12/05/2021)

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