

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.1438 of 2021

1.N.Nagarathna

2.P.Nagaraju

... Appellants/Petitioners

Vs.

1.Mr.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 dated 09.07.2020 made in M.C.O.P.No.3229 of 2016 on the file of the Motor Accidents Claims Tribunal/II Court of Small Causes, Chennai.

For Appellants : Ms.Ramya V Rao

For Respondents:

For R2 : Mr.K.Poomalai

JUDGMENT

In this appeal, both the learned counsel for the appellant and the second respondent have filed a Joint Memo of Compromise to settle the dispute.

2. The terms of settlement are as under:-

"1. This Appeal has been filed by the Claimants. The above MCOP has been filed claimaimg compensation for death of N.Naresh Babu 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.33,70,000/- along with interests and costs. Now the Appellants and 2nd Respondent

have negotiated for settlement and arrived at a sum of Rs.36,00,000/- in full quit. The 1st and 2nd Appellant are entitled to equal shares i.e Rs.18,00,000/- each 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.36,00,000/- 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 claimants 1 and 2 are permitted to withdraw their respective shares."

3. This Civil Miscellaneous Appeal is disposed of in terms of the above Joint Memo of Compromise. No costs.

*Copy of the Joint Memo enclosed

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

arb

To:

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

2.The Section Officer,
Vernacular Section,
Madras High Court.

+1cc to Mr.AN.Viswanatha Rao, Advocate SR.No.28804

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VBA(CO)
GMY(06/07/2021)