IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2021

CORAM:

THE HONOURABLE Mrs.JUSTICE S.KANNAMMAL

C.M.A.No.2439 of 2014
and
M.P.No.1 of 2014

Royal Sundaram Alliance Insurance Co. Ltd.,
R.N.S. Motors Limited, Yaswntpur,
Bangalore, Karnataka State. .. Appellant

Vs.

1. Sivagami
2. N.Nagaraj
3. Sudha
4. Sumathi
5. Archana .. Respondents

(Fifth respondent remained exparte)

This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 28.11.2013 made in M.C.O.P.No.91 of 2009 on the file of the Motor Accidents Claims Tribunal, Sub Judge, Mettur.

For Appellant : Mr.M.Krishnamoorthy

J U D G M E N T

This Civil Miscellaneous Appeal has been filed for enhancement of compensation granted by the award dated 28.11.2013 made in M.C.O.P.No.91 of 2009 on the file of the Motor Accidents Claims Tribunal, Sub Judge, Mettur.

2. Learned counsel appearing for the appellant seeks permission of this Court to withdraw this appeal, since the dispute between the parties is settled before the trial Court and he has mailed a memo to that effect.

3. The memo mailed by the learned counsel for the appellant reads as follows:-

"MEMO FILED FOR AND ON BEHALF OF THE APPELLANT:

It is submitted that the above case was posted for final hearing on 19.04.2021. It is submitted that the above appeal filed against the judgment

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and decree passed in MCOP 91 of 2009, MACT, Mettur was compromised mutually between the parties, accordingly, the agreed compensation amount was paid and thereby, the case got settled before the Motor Accidents Claims Tribunal at Mettur.

Therefore, it is prayed that this Hon'ble Court may be pleased to permit me to withdraw the appeal as dismissed as withdrawn."

4. Recording the said memo, dated 20.04.2021 this Civil Miscellaneous Appeal is dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

mra
To

1.The Sub Judge,
Motor Accidents Claims Tribunal,
Mettur.

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

C.M.A.No.2439 of 2014

AD(CO)
SP(29/06/2021)

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