

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.04.2021

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH
and
THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.M.A. No.1940 of 2020
and CMP.No.14347 of 2020

Oriental Insurance Company Ltd.,
New No.115, Old No.216,
Prakasam Salai, Broadway,
Chennai 600 108. ... Appellant/2nd Respondent

Versus

1. Mathu
2.T.M.Elumalai ... Respondents/Petitioner/
1st Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988 against the judgment and decree dated 12.11.2019 made in MCOP.No.5509 of 2016 on the file of the Motor Accident Claims Tribunal / Special Sub Court No.II, Court of Small Causes, Chennai.

For appellant : Mr.D.Bhaskaran

For respondents: M/s.M.Malar, for R1

J U D G M E N T

सत्यमेव जयते

(The Judgment of the Court was delivered by R.Subbiah, J)

The appeal is heard through video conferencing.

2. When the matter is taken up for hearing, the learned counsel for the appellant / Insurance Company submitted that they have settled the matter with the first respondent / claimant for a sum of Rs.20,29,000/- with 7.5% interest as against the compensation of Rs.30,61,000/- awarded by the Tribunal and hence, he seeks permission of this Court to withdraw the appeal.

3. Recording the above submission of the learned counsel for the appellant/Insurance Company, the appeal is dismissed as withdrawn. However, the appellant/Insurance Company is directed to deposit the sum of Rs.20,29,000/- with interest at 7.5% from the date of claim petition till the date of payment, after adjusting the amount if any already deposited, within a period of four weeks from the date of receipt of a copy of this judgment. On such deposit, the first respondent / claimant is permitted to withdraw the entire amount in accordance with law before the Tribunal. No costs. Consequently, connected miscellaneous petition is closed.

4. Registry is directed to return back the original records to the Tribunal forthwith.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Motor Accident Claims Tribunal /
Special Sub Court No.II, Court of Small Causes, Chennai

Copy To:

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

+1 cc to M/s. M.Malar, Advocate Sr.No. 22775

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SSD(CO)
RMP(19/04/2021)

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