



C.M.A.No.2767 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2023

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

C.M.A.No.2767 of 2022

1.K.Thaiyalnayagi,
No.121B, Thiruvathigai Main Road, Thiruvathigai,
Panruti Taluk.

2.S.Latha,
No.2/421, Villupuram Main Road, N.R.Pettai
Gingee, Villupuram - 604 202.

3.B.Meena,
No.5/1, Dharga Main Road, Torapadi
Pudupettai and Post, Panruti Taluk.

4.K.Senthilkumar,
No.53/34, Anna Salai, Valasaravakkam,
Alwarthirunagar, Thiruvallur,
Ambattur - 600 087.

5.K.Revathi,
No.19, Kannagi Street, Thiruvathigai,
Panruti - 607 106.

... Appellants

Vs.

1.D.Mahaveer,
No.100/40, Saampadhan Street,
Nammalvarpettai, Perambur,
Chennai 600012.



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2.The Manager,
Royal Sundaram General Insurance Co. Ltd.,
Subramaniam Building, 2nd Floor,
Club House Road, Anna Salai,
Chennai 600 002.

... Respondents

Prayer: Appeal filed under Section 173 of Motor Vehicles Act, 1988 against Judgment and Decree in MCOP.No.173 of 2019 dated 23.12.2021 on the file of the Motor Accident Claims Tribunal/(Sub Court, Panruti).

For Appellant : Ms.Ramya V.Rao

For Respondents : Mr.G.Vasudevan (R2)

J U D G M E N T

The Appeal has been filed against the Judgment and Decree made in MCOP.No.173 of 2019 dated 23.12.2021, on the file of the Motor Accident Claims Tribunal/(Sub Court, Panruti).

2.When the matter is taken up today (23.01.2023), learned counsel appearing on both sides, submitted a joint memo for recording settlement, dated 23.01.2023, properly signed and counter signed by the parties and their respective counsels. The terms of settlement are as follows:



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"1.The Tribunal passed an award for a sum of Rs.12,89,600/- along with interest and costs as against the claim of Rs.50,00,000/-. Now the 1st Appellant and the 2nd Respondent Insurance Company have negotiated for settlement and arrived at a sum of Rs.3,00,000/- (Three lakhs only) in full quit, over and above the Tribunal award.

2.The 2nd Respondent/Insurance Company is willing to deposit the sum of Rs.3,00,000/- without interest 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.

3.The enhanced compensation of Rs.3,00,000/- without interest shall go to the 1st Appellant/1st Petitioner.

4.The 1st Appellant/1st Petitioner shall withdraw the deposited amount as per decree which is payable to the Appellant 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 1st Appellant/1st Petitioner by



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way of RTGS/NEFT on proper identification, in accordance with the terms of award without insisting any formal permission petition."

3.In view of the above said submission of the learned counsel on both sides, the joint compromise memo dated 23.01.2023 is recorded. Accordingly, the Civil Miscellaneous Appeal is partly allowed. The compromise memo dated 23.01.2023 shall form part of the Decree. No costs.

23.01.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order/Non-Speaking Order

sai

To
The Sub Judge,
Sub Court,
Panruti



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RMT.TEEKAA RAMAN.J,

sai

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Dated: 23.01.2023