



C.M.A.No.4890 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

C.M.A.No.4890 of 2019

and

C.M.P.No.28055 of 2019

Azhagapillai

... Appellant/Petitioner

Vs.

1. Parvathi (died)

2. Subramani

... Respondents/Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgement and Decree made in MCOP.No.238 of 2015 on the file of III Additional District Judge, III Additional District Court at Kallakurichi dated 29.04.2019.

For Appellant : Ms.T.G.Balachandran

For Respondents : Mr.T.Balachandran

JUDGEMENT

The Civil Miscellaneous Appeal filed against the order and decretal order dated 29.04.2019 made in MCOP.No.238 of 2015 on the file of the III Additional District Court, Kallakurichi.



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2. When the matter is taken up for hearing learned counsel for the appellant submits that during the pendency of the appeal, the matter was settled between the parties and the appellant agreed to pay a sum of Rs.5,00,000/- as lumpsum and thereafter, drawn a demand draft in favour of the claimant / Subramani. He further submitted that the appellant has already deposited a sum of Rs.25,000/- to the credit of M.C.O.P.No.238 of 2015 and he sought permission of this Court to withdraw the said amount in view of the settlement arrived between the parties.

3. The learned counsel for the claimant / second respondent submitted that the claimant received the said amount.

4. In view of the submission made by the parties, this appeal is closed with liberty to the appellant to withdraw a sum of Rs.25,000/- to the credit of M.C.O.P.No.238 of 2015 already deposited by him. No costs. Consequently, connected miscellaneous petition is closed.

07.12.2023

Index : Yes / No

Speaking order / Non speaking order

Neutral Citation Case : Yes / No

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To

- 1.The Motor Accident Claims Tribunal, III Additional District Court, Kallakurichi
- 2.The Section Officer, V.R.Section, High Court, Madras.



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M.DHANDAPANI, J.

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