



C.M.A.No.1279 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.M.A.No.1279 of 2019

1. Seetharaman (Died)

S/o.Rajagopal

2. Vasantha

W/o.Seetharaman

3. S.Moorthi

S/o.Seetharam

4. Chakravarthi

S/o.Seetharam

5. Poorani

D/o.Seetharam

6. Sarasu

D/o.Seetharam

7. Devi

D/o.Seetharam

... Appellants / Petitioners

(Sole appellant died. Appellants 2 to 7 brought on record as LR's of the deceased sole appellant viz., Seetharaman vide order dated 02.03.2023 made in C.M.P.Nos.13482 and 13483 of 2022 in C.M.A.No.1279 of 2019 by AANJ)

Vs.



C.M.A.No.1279 of 2019

1. M.Muthukrishnan
WEB COPS/o.Muthaiyan

2. The Divisional Manager,
United India Insurance Company Limited,
Puducherry. ... Respondents / Respondents

PRAYER : Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 13.08.2013 made in M.C.O.P.No.640 of 2011 on the file of the Motor Accidents Claims Tribunal, Additional Sub Judge, Puducherry.

For Appellants : Mr.V.Udyakumar

For Respondents : No appearance for R1
Mr.M.J.Vijayaraghavan for R2

J U D G M E N T

Aggrieved by the compensation awarded by the Tribunal in M.C.O.P.No.640 of 2011 filed by the claimant, the petitioner has come before this Court challenging the same by filing the present civil miscellaneous appeal.



C.M.A.No.1279 of 2019

WEB COPY

2. Pending appeal, the sole appellant, i.e., Seetharaman died, hence the appellants 2 to 7 have been brought on record as legal heirs, in which, the second appellant is the wife of the deceased.

3. Today when the matter is taken up for hearing, the learned counsel appearing for the appellants and the learned counsel appearing for the second respondent submitted that the matter has been amicably settled in between the parties and the second respondent / Insurance Company is willing to compensate the second appellant with a sum of Rs.90,000/- (Rupees Ninety Thousand only).

4. This Court is not inclined to grant any compensation to the appellants 3 to 7.

5. In view of the above submission made, this Court is inclined to dispose of the appeal with the following direction that the second appellant, i.e., wife of the deceased is directed to furnish her bank particulars to the



C.M.A.No.1279 of 2019

WEB COPY

second respondent / Insurance Company within a period of one week from the date of receipt of a copy of the judgment. On receipt of the same, the second respondent is directed to deposit a sum of Rs.90,000/- (Rupees Ninety Thousand only) as full quit to the credit of the second appellant within a period of three weeks thereafter.

6. Accordingly, the Civil Miscellaneous Appeal is closed. No costs.

03.11.2023

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji



C.M.A.No.1279 of 2019

WEB COPY

To

1. The Motor Accidents Claims Tribunal,
Additional Sub Judge,
Puducherry.
2. The Section Officer,
V.R. Section,
High Court, Chennai.



WEB COPY



C.M.A.No.1279 of 2019

M.DHANDAPANI, J.

vji

C.M.A.No.1279 of 2019

03.11.2023