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C.M.A.No.2824 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

C.M.A.No.2824 of 2021
and
C.M.P.No.16146 of 2021

Sri Amman Farm Equipments Agencies,
No.176-C Vedi Gounder Colony, bypass Road,
Opposite to Nedunchalai Nagar, Salem.

... Appellant

Vs.

1.Ravikumar

Gokulnath (Deceased)

2.Ramya

[Declared as major as per the order made in
C.M.P.No.9533 of 2024 dated 05.07.2024]

3.Anbalagan

4.Thangammal

... Respondents



Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the judgment and decree dated 17.12.2020 in M.A.C.T.O.P.No.341 of 2009 on the file of the Motor Accidents Claims Tribunal, Sankari (Sub-Court, Sankari), Salem District.

For Appellant : Mr.M.Devaraj
For Respondents : Mr.C.Kulanthaivel for R1 & R2
R3 – No appearance
R4 – Died

J U D G M E N T

(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)

The matter was referred to Lok Adalat. Pending appeal, the parties have entered into compromise and a compromise memo is also placed before us.

2. As per the compromise, the total amount agreed to pay is Rs.25,00,000/- (Rupees Twenty Five Lakhs only). The claimants 1 and 3 would be entitled to a sum of Rs.12,00,000/- (Rupees Twelve Lakhs only) each and the 3rd respondent in the Original Petition Thangammal, mother of the deceased was awarded a sum of Rs.1,00,000/- (Rupees One Laksh only)



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by the Tribunal and it is stated that she is also no more now. She has also not appeared before the Tribunal. Hence, we permit the respondents 1 and 2 to enter into compromise without prejudice to the rights of the legal representatives of Thangammal, the 3rd respondent in the Original Petition.

3. The total amount agreed to pay is Rs.25,00,000/-. The appellant will deposit the entire sum of Rs.25,00,000/- to the credit of the MCOP.No. 341 of 2009 on the file of the Motor Accidents Claims Tribunal, Sankari (Sub-Court, Sankari), Salem District. The Tribunal has awarded a sum of Rs.1,00,000/- towards compensation to the 3rd respondent. The remaining Rs.24,00,000/- will be shared between the two claimants viz., the respondents 1 and 2 herein.

4. This Civil Miscellaneous Appeal is disposed of in terms of the the joint memorandum of compromise and the joint memorandum of compromise will form part of the decree. The appellant shall deposit the total compensation within a period of eight (8) weeks from today and on such deposit the claimants 1 and 3 before the Tribunal will be entitled to withdraw a sum of Rs.12,00,000/- each. No costs. Consequently, the



connected miscellaneous petition is closed.

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(R.S.M., J.) (R.S.V., J.)
05.07.2024

dsa
Index : No
Internet : Yes
Neutral Citation : No
Speaking order



To

The Motor Accidents Claims Tribunal,
Sub-Court, Sankari, Salem District.

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R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

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