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C.M.A.No.582 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM :

The Hon'ble Mr. Justice Krishnan Ramasamy

C.M.A.No.582 of 2024

and

C.M.P.Nos.5689 & 5691 of 2024

The Branch Manager,
The National Insurance Company Ltd.,
No.165, Nethaji Road,
Manjakuppam,
Cuddalore 607 001.

... Appellant

Vs.

1. R.Badmini

2. J.Sivaraman

... Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, 1988 against the Decree and Judgment passed in M.A.C.T.O.P.No.2034 of 2019 dated 08.04.2022 on the file of the Motor Accident Claims Tribunal, 1st Additional Subordinate Court, Cuddalore.

For Appellant : M/S.N.B.Surekha

For R1 : Ms.Ramya V.Rao

JUDGEMENT



C.M.A.No.582 of 2024

WEB COPY

Aggrieved by the quantum of compensation awarded by the Tribunal in M.A.C.T.O.P.No.2034 of 2019 dated 08.04.2022, the appellant/Insurance Company has filed the present Civil Miscellaneous Appeal.

2. On 24.09.2013, at about 19.15 hours, the first respondent/claimant was riding a two wheeler namely TVS-XL bearing Reg.No.TN-31-Ah-9040, she was hit by Hero Honda Splendor bearing Reg.No.TN-31-BB-9342, which was insured with the appellant/Insurance Company, driven in a rash and negligent manner. Due to the impact, the first respondent/claimant sustained grievous injuries all over her body. Hence, the claimant made a claim petition before the Tribunal claiming a sum of Rs.20,00,000/- as compensation.

3. On consideration of oral and documentary evidence, the Tribunal has awarded a sum of Rs.8,98,576/- towards compensation to the first respondent/claimant. Aggrieved by the quantum of compensation awarded by the Tribunal, the appellant/Insurance Company has filed the present appeal.

4. Today, when the matter is taken up for hearing, the learned counsel on both sides would submit that they have settled the matter and



C.M.A.No.582 of 2024

to that effect they have filed a Joint Memo of Compromise and the said Joint Memo of Compromise is recorded.

5. The learned counsel for the appellant submitted that they are ready to deposit a sum of Rs.5,50,000/- along with interest and costs, and the claimant also agreed for the same.

6. In view of the above, this Civil Miscellaneous Appeal is disposed of. The Joint Memo of Compromise shall form a part of this judgment. The appellant/Insurance Company is directed to deposit the entire amount as per the terms of a Joint Memo of Compromise to the credit of MCOP.No.2034 of 2019 within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petitions are closed.

18.03.2024

Index : Yes / No
NCC : Yes / No
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C.M.A.No.582 of 2024

Krishnan Ramasamy,J.,

jd

To

1. The Motor Accident Claims Tribunal,
1st Additional Subordinate Court, Cuddalore.
2. The Section Officer,
V.R. Section,
High Court, Madras.

C.M.A.No.582 of 2024

18.03.2024