



C.M.A.No.3040 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.09.2024

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

C.M.A.No. 3040 of 2023

and

C.M.P.No.28765 of 2023

1.Mrs.M.Akila ... Appellant / Petitioner

Vs.

1.Mr.S.Sundar

2.Bajaj Allianz General Insurance Co. Ltd.,
Old No.276 & 277, New No.497 & 498,
"Isana Kattima Building",
5th Floor, Poonamallee High Road,
Arumbakkam, Chennai-600 106. ... Respondents / Respondents

Prayer : Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, against the decree and judgment dated 29.09.2023 in M.C.O.P.No.4324 of 2017, on the file of Motor Accident Claims Tribunal (Special Sub-Court, No.I), Small Causes Court, Chennai.

For Appellant : Mr.T.Umasuthan
For 1st Respondent : Deceased
For 2nd Respondent : Mr.N.Somasundar

JUDGMENT



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WEB COPY (The Judgment of the Court was delivered by Mrs.R.Kalaimathi, J.,)

The Joint memo of compromise dated 24.09.2024 was filed and the same is recorded.

2. It has also been stated that out of Rs.68,00,000/-, an amount of Rs.41,63,392/- has already been paid by the 2nd respondent to the appellant in compliance to the impugned award dated 29.09.2023 passed in M.C.O.P.No.4324 of 2017.

3. The learned counsel for both sides would submit that this Civil Miscellaneous Appeal is settled and the appellant has agreed to receive Rs.68,00,000/- towards full and final settlement from the 2nd respondent/Insurance Company. To this effect, the joint compromise memo was filed.

4. Perused.

5. In view of the said submission and based on the joint compromise memo, this Civil Miscellaneous Appeal stands disposed of. The terms of



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joint compromise memo shall form part of the judgment. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

6. Registry is directed to refund Court fee as per rules.

(J.N.B. J.,) (R.K.M.J.,)
25.09.2024

Index: Yes/No
Speaking Order/Non Speaking order
NCC:Yes / No
ssn

J.NISHA BANU, J.,
and
R.KALAIMATHI.J.,

ssn

To

1. The Motor Accidents Claims Tribunal,
(Special Sub-Court, No.I),
Small Causes Court, Chennai.
2. The Section Officer,
V.R Section,
High Court, Madras.

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