



**C.M.P.(MD)No.16797 of 2024
and Rev.Aplc.(MD)SR.No.85410 of 2024**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

**C.M.P.(MD)No.16797 of 2024
and
Rev.Aplc.(MD)SR.No.85410 of 2024**

C.Raja

... Petitioner

-VS-

1.Palanivel

2.Rasammal

3.R.Suresh Kumar

4.Annadurai

5.United India Insurance Company Ltd.,
18/116, I Floor, Saravana Complex,
Mettupalayam Road, Thudialur,
Coimbatore.

... Respondents

PRAYER in C.M.P.(MD)No.16797 of 2024: Petition filed under Under Section 5 of Limitation Act, 1963, to condone the delay of 137 days in filing the Review Application.

PRAYER in Rev.Aplc.(MD)No.SR85410 of 2024 : Review Application filed under Section 114 of Civil Procedure Code and Order 47 Rule 1 and 2 of Civil Procedure Code, to call for the records relating to the order in Review Petition against the order in C.M.A.No.764 of 2019, dated 06.06.2024, on the file of this Court and set aside the same.



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and Rev.Appl.(MD)SR.No.85410 of 2024**

For Petitioner : Mr.C.Ramamurthy
For Respondents 1 & 2 : Mr.N.Mohan

ORDER

When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the matter is settled between the parties. A compromise memo has been arrived between them and the same is extracted as follows:-

"It is stated that the respondents 1 and 2 filed C.M.A.No.764 of 2019 before this Hon'ble Court for the claim of Rs.15,00,000/-. The appeal was heard on 6.6.2024. Since, the Insurance company was not liable, this Hon'ble Court convert the MCOP into Workmen compensation and made the Review petitioner liable. At the time of hearing, the Petitioner did not appear before this Court and contest the case. Anyhow, the issue is settled out of Court and therefore, this memo may be recorded on behalf the Petitioner and Respondent."

2.In view of the submission made by the learned counsel for the petitioner, the Condone Delay Petition is closed and the joint compromise memo shall form part and parcel of the order. The Review Application in Rev.Appl.(MD)No.SR85410 of 2024 stands rejected in the SR stage itself.
No Costs.

03.12.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes
Mrn



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L.VICTORIA GOWRI, J.

Mrn

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