



CMA (MD) No.1055 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CMA (MD) No.1055 of 2024
and CMP (MD) No.10983 of 2024

1. National Insurance Company Ltd.,
Rep. through its Branch Manager,
Office at Anguvilas Building,
112, North Car Street, Nagercoil,
Kanyakumari.

2. National Insurance Company Ltd.,
Rep. through its Branch Manager,
Office at No.37/C,
S.No.High Road, Thirunagar,
Tirunelveli Junction,
Tirunelveli, Tamil Nadu.

... Appellants

Vs.

1. Anitha
2. Minor Gowshika
3. Minor Deshvanth
4. Chellathai
5. Sundaralingam
6. Arul Seelan

... Respondents/Claimants
... Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 17.07.2023 passed in MCOP No.711 of 2022, on the file of the Motor Accidents Claims Tribunal, Principal District Court, Tirunelveli.

<https://www.mhc.tn.gov.in/judis>



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For Appellants : Mr.D.Sivaraman

For Respondents : No Appearance (for R1 to R5)
Dispensed with (for R6)

ORDER

This Court by the order dated 21.10.2024 dismissed the Civil Miscellaneous Appeal filed by the Insurance Company. The tribunal had awarded a compensation of Rs.25,03,000/- together with interest. The appeal is now listed under the caption 'for being mentioned' at the request of the appellants-Insurance Company and the letter dated 27.03.2025 circulated by Mr.D.Sivaraman, learned counsel for the appellants-Insurance Company.

2. Mr.D.Sivaraman, learned counsel for the appellants-Insurance Company would submit that pending appeal before this Court, the parties viz., the appellants-Insurance Company and the respondents/claimants entered into a compromise before the District Level Lok Adalat held at Tirunelveli on 14.09.2024 and that unfortunately, the appellants-Insurance Company had not informed the said fact to the learned counsel.

3. Thus, this matter was listed on 07.08.2025, under the caption 'for being mentioned' and there was no representation for the respondents/claimants. Even today there is no representation for the respondents/claimants.



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4. This Court had perused the Terms of Settlement arrived at between the parties before the District Level Lok Adalat held on 14.09.2024 at Tirunelveli. The respondents have agreed to receive a sum of Rs.25,00,000/- in full quit. The sum of Rs.25,00,000/- less the amount of Rs.25,000/- already deposited was transferred to the credit of bank account bearing No.VMACOPMCOP711 of 2022 IDIB000T105 held with Indian Bank, Veeraragapuram, Tirunelveli under UTR CMS3302465988682, as per the memo filed by the appellant-Insurance company before the Principal District Judge, Tirunelveli on 02.12.2024.

5. Since, the parties have arrived at a compromise before the District Level Lok Adalat held on 14.09.2024 at Tirunelveli, the appellants may not be liable to pay the compensation awarded by the tribunal.

6. The appellants-Insurance Company may file suitable application to recall the earlier order and to seek permission to withdraw the appeal.

Sd/-

11/08/2025

// True Copy //

/ /2025

Sub Assistant Registrar
(CS - I / II / III / IV)

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To : **மதுரை**

1.Principal District Judge, Tirunelveli.

2.The Section Officer,
V.R. Section,
Madurai Bench of madrasHigh Court,
Madurai(2C).

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-50743[F] dated 12/08/2025)

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SB/21.08.2025/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023