



C.M.A(MD)No.1277 of 2015

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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Dated : 06.11.2025

CORAM:

**THE HONOURABLE MS.JUSTICE R.POORNIMA**

**C.M.A.(MD)No.1277 of 2015**

1.Ganesan (died)\* ... 1<sup>st</sup> Appellant/ Respondent

2.Sivasankari

3.Rajapriyadharshini

4.Minor Sriram ... Appellants 2 to 4

( Minor 4<sup>th</sup> appellant is declared as major vide memo dated 06.11.2025)

(Appellants 2 to 4 are brought on record as Lrs. of the deceased sole appellant vide order dated 11.10.2022 made in CMP(MD)No.1335 of 2021.)

Vs.

1.Natarajan (died)

2.Jayalakshmi ...Respondents 1 and 2/Petitioners

3.Akila

4.Kavitha

5.Elayaraja ...Respondents 3 to 5

(Respondents 3 to 5 are brought on record as Lrs. of the deceased 1<sup>st</sup> respondent vide order dated 29.11.2022 made in CMP(MD)No.11450 of 2022.)



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PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the fair and decretal order dated 19.03.2015 made in M.C.O.P.No.44 of 2014 on the file of the Chief Judicial Magistrate Court, Motor Accident Claims Tribunal, Kumbakonam and allow this Civil Miscellaneous Appeal.

For Appellant : Mr.H.Lakshmi Shankar

For Respondents : Mr.C.Suresh Kannan – for R2 to R5

### **JUDGMENT**

The 1<sup>st</sup> appellant/respondent has filed this Civil Miscellaneous Appeal against the fair and decretal order 19.03.2015 made in M.C.O.P.No.44 of 2014 by the Chief Judicial Magistrate Court, Motor Accident Claims Tribunal, Kumbakonam.

2. Pending appeals, the parties have entered into a settlement and the terms of joint compromise memo has been reduced into writing and both the parties as well as their respective counsel signed the compromise.



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3.The parties are also present before this Court and they have affirmed the compromise memo, wherein, the respondents / petitioners have agreed to receive a sum of Rs.45,000/- (Rupees Forty Five Thousand only) in addition to the award amount of Rs.2,00,000/- (Rupees Two Lakhs only) already deposited in the lower Court by the 1<sup>st</sup> appellant/respondent with accrued interest in full quit towards their claim from the appellants.

4.The compromise memo filed by the parties dated 06.11.2025, is as follows:

*“The respondents 2 to 5 being the legal representatives of the 1<sup>st</sup> respondent who along with his wife the 2<sup>nd</sup> respondent have filed application claiming compensation for the death of their son a victim to the accident. The 1st respondent died after the trial court passed award against the 1st respondent/respondent. The respondent Ganesan aggrieved against the order passed by the trial court preferred appeal in C.M.A.(MD) No.1277 of 2015 before Hon'ble Madurai Bench of Madras High Court and who died subsequently and his L.Rs are the appellants herein and pending the appeal both the parties to the appeal have arrived at a compromise as such the respondents in the appeal are willing to receive a sum of Rs.45,000/- in addition to the*



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*award amount of Rs.2,00,000/- (Rupees Two lakhs only) already deposited in the Lower Court by the appellant/ respondent with accrued interest in full quit towards their claim from the appellants.”*

5. During pendency of the case, the 4<sup>th</sup> appellant namely, Sriram became major, his date of birth is 13.08.2004, to that effect a memo is filed. Sriram 4<sup>th</sup> appellant is also present before this Court. The memo dated 06.11.2025 is recorded. Therefore, the mother Sivasankari is discharged from the guardianship.

6. Registry is directed to carry out necessary amendment in the cause title.

7. In view of the same, the compromise memo is recorded. The Civil Miscellaneous Appeal is disposed of in terms of the compromise memo dated 06.11.2025. The compromise memo will form part and parcel of this judgment and decree. No costs.

**06.11.2025**

Index : Yes / No

NCC : Yes / No

RM

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1.The Chief Judicial Magistrate Court,  
Motor Accident Claims Tribunal,  
Kumbakonam.

Copy to

1.The Section Officer,  
ER/VR Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**R.POORNIMA, J.**

RM

Judgment in

**C.M.A.(MD)No.1277 of 2015**

**06.11.2025**