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C.M.A.No.82.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2026

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Civil Miscellaneous Appeal No.824 of 2025
and
Civil Miscellaneous Petition No.6588 of 2025

The Divisional Manager,
National Insurance Company Ltd.,
IT Floor, 672A, J.N.Street,
Puducherry 605 001.
Having Unit Office at R.S.Pillai Street
Laxmivilas Bank Building
Tindivanam.

... Appellant

Vs.

1.Bhuvaneswari
2.Minor Sanjana
3.Minor Pranitha
(Minors represented by Mother Bhuvaneswari)
4.Vaitheeswaran

5.Usha International Limited
4/59, Mount Poonamallee Road,
Manapakkam, Chennai-600 089.
1/6

... Respondents



PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and decree dated 30.09.2024 made in M.C.O.P.No.330 of 2020 on the file of the learned Motor Accident Claims Tribunal (I Additional District Judge), Tindivanam.

For Appellant : Mrs.R.Sree Vidhya
For R1 to R3 : Mr.B.R.Siva Subramaniam
For R4 : Not ready in notice
For R5 : Mr.K.Azhagu Raman

JUDGMENT

(Judgment of the Court was made by C.V.KARTHIKEYAN,J.)

The learned counsel for the appellant and the learned counsel for the claimants have filed a memo of compromise dated 31.03.2025.

2. The memo of compromise as follows:



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3. The apportionment as between to 1st to 3rd Respondents will be Rs.10,00,000/- each.

4. The 1st Respondent will be entitled to withdraw her full share of Rs.10,00,000/- forthwith immediately after depositing of the amount by the Appellant.

5. The order of the Tribunal with regard to depositing of the shares of the Minor Respondents 2 and 3 in a Nationalized Bank and periodical withdrawal of interest thereof by the 1st Respondent will hold good.

6. The Appellant will be entitled for the relief of "Pay and Recovery" as against the 4th and 5th Respondents herein and will be entitled to proceed against 4th and 5th Respondents to recover the award amount deposited by them in accordance with law.

It is prayed that this Hon'ble Court may be pleased to take this Memo of Compromise on record and pass a judgment and decree in terms of the same and render justice.

Dated at Chennai on this 31 day of March, 2025.

G. Bhuvanagobbi

For NATIONAL INSURANCE COMPANY LIMITED

Authorized Signatory

(R-1 for herself and
Counsel for R-1 to R-3 on behalf of R-2)

Appellant

P.B.R. Jeyaraj
Counsel for R-1 to R-3.

R. Ramesh
Counsel for Appellant

P. Chinnappa
ADVOCATE,
No. 67/83, India Nagar,
Marakkanam Road,
TIRUVANMI - 605 005
(C.C. Counsel for R-1, R-2 & R-3)

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The memo of compromise is recorded. The Civil Miscellaneous Appeal is disposed of accordingly. The memo of compromise shall form part of the decree.

The appellant is directed to deposit the amount within a period of two weeks from today.

(C.V.K., J.)

(K.R.S., J.)

25.03.2026

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Note to Registry: Issue Order Copy on 26.03.2026

To

1.The I Additional District Judge,

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C.M.A.No.82.

Motor Accident Claims Tribunal,
Tindivanam.

2.The Section Officer,
V.R.Section,
High Court of Madras.

C.V.KARTHIKEYAN, J.
AND
K. RAJASEKAR, J.

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