



CMA(MD)Nos.1031 and 1153 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :30.01.2026

CORAM:

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

CMA(MD)Nos.1031 and 1153 of 2024
and CrL.M.P(MD) Nos.12112 and 10745 of 2024

CMA(MD) No.1031 of 2024

The Joint Director of Medical Rural Health Service
and Family Welfare,
Sivagangai

... Appellant

vs.

1.K. Malliga

2.Minor.K.Jaisurya

3. Minor.K.Durgasri

S.Gandhi(Died)

4.A.Sonai

(Minors 2 and 3 respondents are represented through
their mother and natural guardian 1 st respondent)

...Respondent

PRAYER: Appeal filed under Section 173 of the Motor Vehicles Act, 1988 to set aside the judgment and decree against MCOP No.142 of 2018 dated 28.06.2023 on the file of the Motor Accident Claims Tribunal, Additional District Court, Sivagangai District

For Appellant : Mr.M.AjmalKhan, AAG, assisted by
Mr.D.Gandhi Raj
Special Government Pleader



CMA(MD)Nos.1031 and 1153 of 2024

For R-1 : Mr.P.T.S.Narendravasan

CMA(MD) No.1153 of 2024

The Joint Director of Medical Rural Health Service
and Family Welfare,
Sivagangai

... Appellant

vs.

1. Nirmala
2.M.Muthuganesh
3.M.Karthikeyan
D.Maruthamuthu(Died)

...Respondents

PRAYER: Appeal filed under Section 173 of the Motor Vehicles Act, 1988 to set aside the judgment and decree against MCOP No.141 of 2018 dated 28.06.2023 on the file of the Motor Accident Claims Tribunal, Additional District Judge, Additional District Court, Sivagangai District

For Appellant : Mr.M.AjmalKhan, AAG, assisted by
Mr.D.Gandhi Raj
Special Government Pleader

For R-1 to R3 : Mr.P.T.S.Narendravasan

COMMON JUDGMENT

[Judgment of the Court was made by G.K. ILANTHIRAIYAN, J.]

CMA(MD) No.1031 of 2024 has been filed to set aside the judgment and decree made in MCOP No.142 of 2018 dated 28.06.2023 on the file of the Motor Accident Claims Tribunal, Additional District Court, Sivagangai District.



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2. CMA(MD) No.1153 of 2024 has been filed to set aside the judgment and decree made in MCOP No.141 of 2018 dated 28.06.2023 on the file of the Motor Accident Claims Tribunal, Additional District Judge, Additional District Court, Sivagangai District

3. While pending appeals the appellant and the respondents entered into a compromise and filed a compromise memo dated 23.01.2026. Both the appellant and the claimants appeared before this Court and deposed that they have no objection to record the compromise memo entered between them by this Court.

4. Recording the above, the Civil Miscellaneous Appeal in CMA(MD) No.1031 of 2024 stands disposed of in terms of compromise memo dated 23.01.2026, executed between the parties. Accordingly, after deducting 10% from the total compensation of Rs.33,96,900/-, the compensation is now fixed at Rs.30,57,219/- (Rupees Thirty Lakhs Fifty Seven Thousand Two Hundred and Nineteen only). The appellant is directed to deposit the said amount with interest at the rate of 7.5% per



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annum from the date of filing the petition till the date of deposit with proportionate cost, less the amount already deposited, within eight weeks from the date of receipt of a copy of this order. Out of said amount, the first claimant is entitled to Rs.11,32,219/- and 2nd and 3rd claimants are each entitled to Rs.7,25,000/- and the 5th claimant is entitled to Rs.4,75,000/-. In all other respects the order of the Tribunal shall hold good. No cost.

5. In view of the compromise entered into between the appellant and the respondent in CMA(MD) No.1031 of 2024 the Civil Miscellaneous Appeal in CMA(MD)No.1153 of 2024 stands dismissed. The compromise memo dated 2301.2026 shall form part of the order. The appellant is directed to deposit the amount awarded by the Tribunal, less the amount already deposited, within eight weeks from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petitions stand closed.

[G.K.I., J.] [R.P., J.]
30.01.2026

Index : Yes / No



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Neutral Citation : Yes / No

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To:

The Motor Accident Claims Tribunal,

Additional District Court, Sivagangai District



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G.K. ILANTHIRAIYAN,J.
AND
R.POORNIMA,J.

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DATED :30.01.2026