

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 07th day of April 2015

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE K.SWAMIDURAI (Retd.)
and

Members

- 1.R.Jayaratchakan
- 2.S.Arockia Maniraj

C.M.A.No.739 of 2015

(Appeal against the judgment and decree passed on 08.10.2014 made in M.C.O.P.No.2906 of 2013 on the file of the Motor Accidents Claims Tribunal, IV Court of Small Causes, Chennai)

M/s. National Insurance Company Limited,
T.P.Cell, 751, Anna Salai,
Chennai - 600 002.

.. Appellant/Respondent II

Vs.

1.Mr.Sanjay @ Sanjeevu

2.Mr.Vemal

.. Respondents/Petitioners/

(2nd respondent was set ex-parte before Respondent I
the Tribunal)

This case is not listed today. On representation of the counsel for both sides, this case is taken up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Mr.J.Chandran and the learned counsel for the first respondent Mr.A.Balakrishnan are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.4,53,000/- with interest at 7.5% per annum from the date of filing of the petition, i.e., 05.04.2013 till the date of realisation and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.3,33,000/- (Rupees Three Lakhs Thirty Three Thousand only) along with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount, after deducting the amount already deposited if any, within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the first respondent / claimant is permitted to withdraw the above said modified award amount along with interest and costs. Award is passed accordingly.

5. The Tribunal is directed to issue the cheque to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-
National Insurance Company Limited
T.P.Cell, 751, Anna Salai,
Chennai - 2.

Sd/-
Counsel for the Appellant

Sd/-
Sanjay @ Sanjeevu

Sd/-
Counsel for the 1st respondent

This Lok Adalat award is passed in terms of the above settlement.

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Asst.Registrar (J)

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, IV Court of Small Causes, Chennai.
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

adl

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