

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services Committee
Monday, the 2nd day of February, 2015

LOK ADALAT-II AWARD

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

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

Mr.R.Jayaratchakan
Mrs.A.C.Jayalakshmi

C.M.A.No.303 of 2011

(Against the judgment and decree passed on 21.07.2010 made in
M.C.O.P.No.977 of 2005 on the file of the Motor Accident Accidents
Claims Tribunal IInd Addl. Subordinate Judge Salem.

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
12,Ramakrishna Main Road, Salem-7.

...Appellant

Vs.

M.Ganesan (Party-in-Person)

...Respondent

This case came up for settlement before the Lok Adalat. Both
the parties present. The learned counsel for the appellant
Mr.D.Venkatachalam and the Party in Person for the respondent 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 appeal in C.M.A.No.303 of 2011 pending on the file of High
Court, Madras and preferred against the award passed in the
M.C.O.P.No.977 of 2005, on the file of the learned IInd Addl.
Subordinate Judge, Salem, has been referred to Lok Adalat for
conciliation today.

2. The appellant, the Tamil Nadu State Transport Corporation Ltd., represented by its Managing Director, assisted by counsel and the Party-in-Person himself are present before the Lok Adalat for conciliation today. This is a case of motor accident causing injury to the petitioner/respondent. The Tribunal awarded Rs.1,00,000/- with interest at 7.5%p.a., against which the Transport Corporation has preferred the present appeal.

3. After great deliberation and discussion, both the parties, have compromised the disputed claim at Rs.65,000/- with interest at 7.5% p.a. The Transport Corporation has submitted that they have already deposited Rs.25,000/- and further has agreed to deposit the balance modified amount, within a period of six weeks from the date of receipt of copy of this award failing which agreed to pay interest at 9% p.a on the amount to be deposited from this date till the date of deposit.

3.In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the appellant the Tamil Nadu State Transport Corporation Ltd., shall pay a sum of Rs.65,000/- with interest at 7.5% p.a. from the date of petition till the date of deposit within a period of six weeks from the date of receipt of copy of this award failing which shall pay interest 9% p.a on the amount to be deposited from this date till the date of deposit. Immediately, on deposit of the compromised amount the petitioner/respondent is permitted to withdraw the said amount immediately without filing any formal petition. No order as to costs in this appeal. The award is passed accordingly.

4. The Tribunal is directed to send for the amount on production of this award and issue the cheques to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal petition.(Cheque petition) The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-

The Managing Director,

Tamil Nadu State Transport Corporation Ltd., Sd/-

Ramakrishna Main Road, Salem-7.

Counsel for the Appellant

Sd/-

M.Ganesan

Sd/-

(Party-in-Person)

This Lok Adalat award is passed in terms of the above settlement. The Court fee paid shall be refunded to the parties in the manner provided under 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/-
Assistant Registrar(LA)

//True Copy//

Sub Assistant Registrar

To

The parties/Advocate concerned

Copy to

- 1.The Motor Accidents Claims Tribunal, IInd Addl. Subordinate Judge Salem.
- 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

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CMA.No.303 of 2011

SK (CO)
PSI (23.03.2015)