



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Tuesday, the 03rd day of February 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.Mr.S.Gunaseelan

2.Ms.V.J.Latha

C.M.A.No.55 of 2015 and M.P.No.1 of 2015

and Caveat No.5034 of 2014

(Appeal against the judgment and decree passed on 21.08.2014 made in M.C.O.P.No.3915 of 2011 on the file of the Motor Accidents Claims Tribunal IV Court of Small Causes, Chennai)

National Insurance Company Limited,
No.751, Anna Salai, 4th Floor,
Chennai - 2.

...Appellant

Vs.

1.G.Jayalakshmi

2.Jayanthi (1st wife daughter)

3.Mahalakshmi

4.Ganga Bhavani

5.Ellammal

6.R.Ganesan

(6th respondent was set - exparte
before the Tribunal)

...Respondents 1 to 5

On representation of the counsel for both sides, this case is taken up for settlement before the Lok Adalat. Both parties are present. Mr.S.Akilan, Manager for National Insurance Company Limited and the learned counsel for the Appellant Mr.D.Baskaran and the learned counsel for the Respondents / Caveators 1 to 5 Mr.Rajesh 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.30,02,400/- with interest at 7.5% per annum from the date of filing i.e., 30.09.2011 till the date of realization 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.34,50,000/- (Rupees Thirty Four Lakhs Fifty Thousand only) in full quit 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 is permitted to withdraw a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) and the second respondent is permitted to withdraw a sum of Rs.5,00,000/- (Rupees Five Lakhs only) and the third and fourth respondents each are permitted to withdraw a sum of Rs.4,00,000/- and the fifth respondent is permitted to withdraw a sum of Rs.1,50,000/- in full quit without filing any formal petition before the Tribunal. Award is passed accordingly.

4. The Tribunal is directed to issue the cheques to the parties 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. Consequently, connected Miscellaneous Petition is closed, if any.

Sd/-

National Insurance Company Limited,
No.751, Anna Salai, 4th Floor,
Chennai - 2.

Sd/-

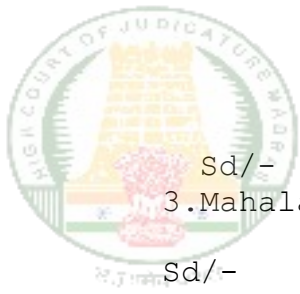
Counsel for the Appellant

LTI

1.G.Jayalakshmi

Sd/-

2.Jayanthi



Sd/-
3.Mahalakshmi

Sd/-
4.Ganga Bhavani

LTI
5.Ellammal

Sd/-
Counsel for the Respondents 1 to 5

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/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

adl

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

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SK [CO] PSI 10.02.2015