

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Thursday, the 09th day of July, 2015

LOK ADALAT AWARD

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

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

Members

Mr.P.Perumalappan
Mr.Balusekar

C.M.A.No.2292 of 2014

(Appeal against the judgment and decree passed on
05.08.2011 made in M.C.O.P.No.177of 2007 on the file of the
Motor Accidents Claims Tribunal, Chief Judicial Magistrate,
Chengalpattu)

M/s The New India Assurance
Company Limited,

Motor Third Party Claims Office,
No.45, Moore Street,
Chennai - 600 001.

... Appellant

Vs.

1.N.S.Vedagiri

2.M.Sundaramurthy

(set ex-party in the Tribunal)

.. Respondents

This case came up for settlement. Both parties are
present. Mr.A.Prabhkar Rao, Manager of New India Assurance
Company Limited and the learned counsel for the appellant
Mr.C.Ramesh Babu and the learned counsel for the first
respondent Mr.Sivakumar for Mr.J.Mahalingam 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.3,59,148/- with
interest at 7.5% per annum from the date of petition till the
date of deposit and costs as compensation. Aggrieved by the
award of the Tribunal, the appellant / Insurance Company had

preferred the present appeal. Insurance Company Official reported that they have already deposited a sum of Rs.2,00,000/- with proportionate interest, as per order of Interim Stay, dated 13.08.2014.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.2,85,000/- (Rupees Two Lakhs Eighty Five Thousand only) along with interest at 7.5% per annum from the date of petition till the date of deposit as compensation.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount with interest, 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 without filing any formal petition before the Tribunal. 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. Consequently, connected Miscellaneous Petition is closed, if any.

-s/d-

M/s The New India Assurance
Company Limited,
Motor Third Party Claims Office,
No.45, Moore Street,
Chennai - 600 001.

-s/d-

Counsel for the Appellant

-s/d-

N.S.Vedagiri

-s/d-

Counsel for the First 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.

-s/d- -s/d-
Member Judge -s/d-
Member

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Chengalpattu)
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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C.M.A.No.2292 of 2014

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