

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Monday, the 30th day of March 2015

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE MALAISUBRAMANIAN(Retd.)
and

Members

Mr.R.Paranjothi, District Judge, (Retd)
Ms.Ayesha Fathima

C.M.A.No.2435 of 2014 and M.P.No.1 of 2014

Appeal against the Judgment and decree passed on 31.10.2013 made in M.C.O.P.No.263 of 2010 on the file of the Motor Accidents Claims Tribunal, Sub Court, Pollachi.

The Oriental Insurance Company Limited,
Having its branch office at PB No.3821
Trichi Road, Coimbatore. ... Appellant

Vs.

1.P.Sakthivel
2.S.Kanniyammal
3.V.Angusamy
4.K.Nachimuthu

(Respondents 3 & 4 were set ex-parte
before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Mr.S.Arun Kumar and the learned counsel for the respondents 1 & 2 Mr.L.Mouli 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.5,80,000/- as compensation with interest at 7.5% per annum from the date of petition i.e. 03.11.2010 till the date of deposit.

2. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal. Now, both the parties have agreed to modify the award to a sum of Rs.5,40,000/- (Rupees Five Lakhs Forty Thousand only) with interest at 7.5% p.a. from the date of petition till the date of deposit.

3. The appellant/Insurance Company is directed to deposit the modified award amount within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the respondents 1 & 2 shall withdraw the same in equal shares.

4. If the entire award amount was already deposited, after satisfaction of this award, if balance is available with the Tribunal, it shall be refunded to the appellant / Insurance Company. Award is passed accordingly.

5. 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 the Miscellaneous Petition is closed.

sd/-

The Oriental Insurance Company Limited,
Having its branch office at PB No.3821
Trichi Road, Coimbatore.

sd/-

Counsel for the Appellant

sd/-

1.P.Sakthivel

sd/-

2.S.Kanniyammal

sd/-

Counsel for the Respondents 1 & 2

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/-

sd/-
Judge
Member

sd/-

Member

Sd/-

Assistant Registrar

True Copy

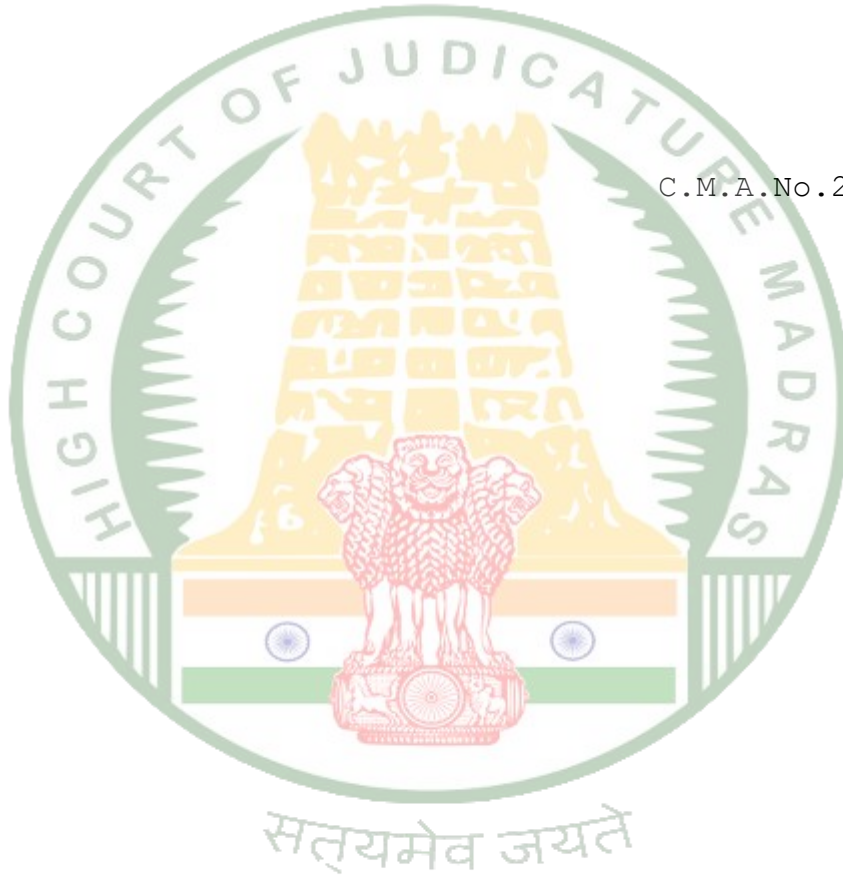
Sub Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal, Sub Court, Pollachi.
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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