

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 04th day of November 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.GNANAPRAKASAM (Retd.)
and

Members

- 1.Mr.M.Abdul Malik
- 2.Mr.Balu Sekar

C.M.A.No.3294 of 2014 and M.P.No.1 of 2014

(Appeal against the judgment and decree passed on 04.07.2014 made in M.C.O.P.No.1626 of 2010 on the file of the Motor Accidents Claims Tribunal, II Court of Small Causes, Chennai)

United India Insurance Company Limited,
No.134, Sillingi Buildings,
Greens Road,
Chennai - 600 006. ... Appellant/2nd Respondent

Vs.

- 1.C.Dhakshinamurthy ...1st Respondent/Claimant
- 2.G.Munivel
(ex-party before the Trial Court) ...2nd Respondent/
1st Respondent

This case came up for settlement. Mr.C.Paranthaman, learned advocate for the appellant and Mr.A.A.Venkatesan, for M/S.R.Janaki learned advocate for the first 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

Learned advocate for the first respondent, Mr.A.A.Venkatesan has conducted the case before the Trial Court and they have not filed vakalat in this appeal. But, however, on instructions from the first respondent they have come forward to settle the matter and also agreed and undertook to file vakalat for the 1st respondent.

2. The Tribunal has awarded a sum of Rs.2,70,200/- with interest at 7.5% per annum from the date of petition i.e.26.03.2010 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.

3. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.2,40,000/- (Rupees Two Lakhs Forty Thousand only) together with interest at 7.5% per annum from the date of petition till the date of deposit as compensation.

4. 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 eight weeks from the date of receipt of a copy of this order.

5. 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. Award is passed accordingly.

6. 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.

Sd/-

United India Insurance Company Limited,
No.134, Sillingi Buildings,
Greams Road,
Chennai - 600 006.

Sd/-

Advocate for the Appellant

Sd/-

C.Dhakshinamurthy

Sd/-

Advocate 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.

Sd/-

Judge

Sd/-

Member

Sd/-

Member

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

WEB COPY

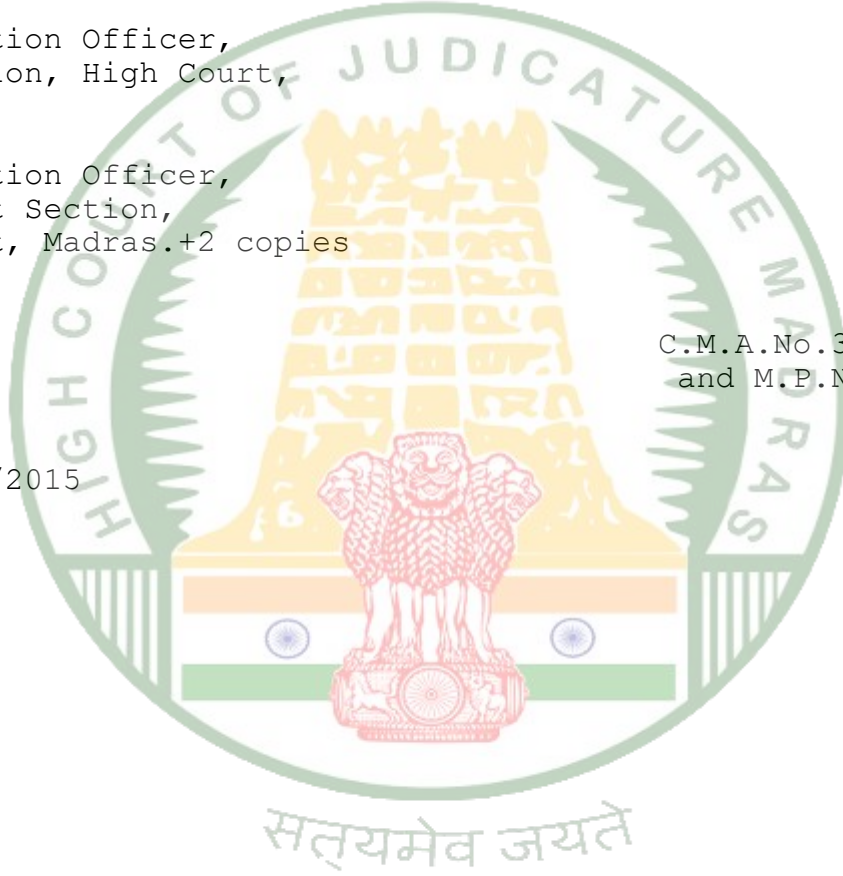
To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
II 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

C.M.A.No.3294 of 2014
and M.P.No.1 of 2014

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srg 30/11/2015



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