

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Thursday, the 26th 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

Mrs.Dr.R.Gouri
Mrs.G.Maragatham

C.M.A.No.3567 of 2014

(Appeal against the judgment and decree passed on 04.03.2014
made in M.C.O.P.No.849 of 2013 on the file of the Motor Accidents
Claims Tribunal (Special Sub Court, Thiruvannamalai)

The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Division - II,
Vellore Region.

... Appellant

Vs.

- 1.Venda
- 2.Parvathy
- 3.Sathiya
- 4.Minor Nithiya
- 5.Minor Venkatesan
- 6.Minor Snekha

(Minor Respondents 4 to 6
rep. by their mother /nf/guardian
Venda first respondent herein

... Respondents

On representation of the counsel for both sides, this case is taken up for settlement before the Lok Adalat. Both parties are present. Mr.P.Vishnu, Deputy Manager (HRD) for the appellant/Transport Corporation and the learned counsel for the appellant Mr.K.J.Sivakumar and the learned counsel for the respondents 1 to 6 Mr.Jawahar 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. 6,47,000/- with interest at 7.5% per annum from the date of petition till the date of deposit along with proportionate costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Transport Corporation 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.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only) in full quit as compensation.

3. The appellant / Transport Corporation is directed to deposit the above said modified award amount, 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.

4. On such deposit, a sum of Rs.1,00,000/- each (Rupees one lakh only) shall be deposited in any one of the Nationalised Banks in re-investment scheme in the name of R4 to R6 till they attain majority and the respondents 1, 2 and 3 are entitled to withdraw a sum of Rs.3,00,000/-, Rs.50,000/- and Rs.1,00,000/- respectively in full quit without filing any formal petition before the Tribunal. 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.

Sd/-
The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Division - II,
Vellore Region.

Sd/-
Counsel for the Appellant

Sd/-
1.Venda

Sd/-
2.Parvathy

Sd/-
3.Sathiya

Sd/-
4.Minor Nithiya
5.Minor Venkatesan
6.Minor Snekha

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(Minor Respondents 4 to 6
by their mother /mf/guardian
Venda first respondent herein)

Sd/-
Counsel for Respondents 1 to 6

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 (Lok Adalat)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Special Sub Court, Thiruvannamalai.
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.
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SK(CO)
CA(10/04/2015)