

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Thursday, the 26th 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 MALAISUBRAMANIAN (Retd.)
and

Members

Mr.Surya Kumar
Mr.Doraiswamy

C.M.A.No.3606 of 2014 and M.P.No.1 of 2014

(Against the award and decree passed on 05.01.2013 made in
M.C.O.P.No.1595 of 2012 , on the file of the Motor Accident Claims
Tribunal,
Special Sub Court, Coimbatore)

The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
No.3/137, Salamedu,
Vazhuthareddy
Villupuram - 605 602.

... Appellant

Vs.

1. K.Rajendran

2. G.Saravanan Uvanraj
(Driver)

(second respondent was set ex-party
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.K.J.Sivakumar and the learned counsel for the first respondent Mr.Shankaralingam 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.7,51,656/- with interest at 7.5% per annum as compensation from the date of application i.e., 29.04.2009 till the date of realisation. Aggrieved by the award of the Tribunal, the appellant / Transport Corporation had preferred the present appeal. The appellant / Transport Corporation official reported that they had already deposited the entire award amount before the Tribunal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.8,40,000/- (Rupees Eight Lakhs Forty Thousand only) in full quit as compensation.

3. Out of the deposited amount, the first respondent/claimant is permitted to withdraw the modified award amount without filing any formal petition before the Tribunal. After satisfaction of the decree, if balance is available with the Tribunal, it shall be refunded to the appellant / Insurance Company. Award is passed accordingly.

4. 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 petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently connected the Miscellaneous Petition is closed.

Sd/-
The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
No.3/137, Salamedu,
Vazhuthareddy,
Villupuram - 605 602.

Sd/-
Counsel for the Appellant

Sd/-
K.Rajendran

Sd/-
Counsel for the first Respondent

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the

manner provided under 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/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

To

The parties/Advocate concerned

Copy to

1. The Motor Accidents Claims Tribunal, Special Sub Court, Coimbatore.
 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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C.M.A.No.3606 of 2014
and M.P.No.1 of 2014

SAI (CO)
CA(11/03/2015)

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