

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Friday, the 27th 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 S.K.KRISHNAN(Retd.)
and

Members

- 1.Ms.V.Ahalya
- 2.Mr.N.Gopalaswamy

C.M.A.No.1111 of 2008 and M.P.No.1 of 2008

(Appeal against the judgment and decree passed on 05.03.2007 made in M.C.O.P.No.959 of 2005 on the file of the Motor Accidents Claims Tribunal, Principal Subordinate Judge, Cuddalore)

The Divisional Manager,
Tamil Nadu State Transport Corporation Limited,
Division II, Trichy. .. Appellant

Vs.

K.Selvamari Ammal .. Respondent

This case came up for settlement before the Lok Adalat. Mr.N.Sekar, Deputy Manager (legal) of Tamil Nadu State Transport Corporation Limited, Division II, Trichy is present. Mr.G.Ramar, counsel for the appellant and Mr.R.Sridharan, Counsel for the 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

The Tribunal has awarded a sum of Rs.3,21,315/- 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 / Transport Corporation had preferred the present appeal. It is reported by the appellant/ Transport Corporation official that they had already deposited 50% of the award amount with accrued interest and costs as per the Interim stay order of the High Court dated 27.03.2008.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) along with interest at 7.5% per annum from the date of petition till the date of deposit and proportionate costs as compensation.

3. The appellant / Transport Corporation 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.

4. On such deposit, the respondent / claimant is permitted to withdraw the above said modified award amount along with interest and proportionate costs without filing any formal petition. 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.

Sd/-
The Divisional Manager,
Tamil Nadu State Transport
Corporation Limited,
Division II, Trichy.

Sd/-
Counsel for the Appellant

Sd/-
K.Selvamari Ammal

Sd/-
Counsel for the 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(CS VI)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Principal Subordinate Judge,
Cuddalore.

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.1111 of 2008
and M.P.No.1 of 2008

mg (CO)
srg (22/04/2016)