

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Monday, the 23rd 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 P.THANGAVEL (Retd.)
and

Members

Mr.S.Rajeswaran
Mr.N.Ramachandran

C.M.A.No.145 of 2007 and M.P.No.2 of 2007

(Appeal against the Judgment and decree passed on 12.08.2005
made in M.C.O.P.No.541 of 2004 on the file of the Motor Accidents
Claims Tribunal, Thiruvavarur)

The Managing Director,
Tamil Nadu State Transport
Corporation Limited,
Kumbakonam.

... Appellant/ Respondent

Vs.

1. Kaliyamurthy
2. Minor Nagaveni
3. Minor Praveen

(Minors 2 & 3 are rep.by their
father 1st respondent herein) .. Respondents/ Petitioner

This case is not listed today. On representation of both parties, this case is taken up for settlement before the Lok Adalat. Mr.Rajinish Pathil, the learned counsel for the appellant and Mr.M.Thamizhavel, the learned counsel for the respondents 1 to 3 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 appeal in C.M.A.No.145 of 2007 pending on the file of High Court, Madras and preferred against the award passed in the M.C.O.P.No.541 of 2004 on the file of Motor Accidents Claims Tribunal, Thiruvavarur has been referred to Lok Adalat for conciliation today.

2. The appellant / Transport Corporation, Kumbakonam represented by its Assistant Manager (MCOP) viz., Mr.R.Rangasamy, and assisted by counsel and the respondents 1 to 3, who are the petitioners 1 to 3 before the tribunal and assisted by counsel are present before the Lok Adalat for conciliation today.

3. This is a case of fatal accident. After great deliberation and discussion, both the parties have compromised the amount of Rs.4,75,000/- in full quit as against the Tribunal award of Rs.2,74,000/- with interest at 9% p.a. from the date of filing of this petition till the date of deposit.

4. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the appellant / Transport Corporation, Kumbakonam shall pay a sum of Rs.4,75,000/- (Rupees four lakhs seventy five thousand only) towards full quit to the claim of the respondents 1 to 3, less the amount already deposited, if any, which is ordered to be deposited before the Competent Court, within a period of eight weeks from the date of receipt of a copy of this award.

5. The respondents 1 to 3, who are the petitioners 1 to 3 before the Tribunal shall apportion the compromised amount in the ratio in which the Tribunal has apportioned the award amount between the parties. The shares of minor respondents 2 & 3 shall be deposited in any one of the nationalised bank till they attain majority. The first respondent father of the minors respondents 2 & 3 is permitted to withdraw the accrued interest on the deposited amount from the Nationalised Bank once in three months directly for maintenance and education of the minor children. No order as to costs.

6. The Tribunal is directed to issue the cheques to the parties concerned on proper identification by their counsel concerned appearing before the Tribunal, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/
The Managing Director,
Tamil Nadu State Transport
Corporation Limited,
Kumbakonam.

Sd/
Counsel for the Appellant

Sd/
1. Kaliyamurthy
2. Minor Nagaveni
3. Minor Praveen

(Minors 2 & 3 are rep.by their
father 1st respondent herein) sd/

Counsel for the Respondents 1 to 3

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

The Court fee paid shall be refunded to the appellant 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.Motor Vehicles Accidents Claims Tribunal, Thiruvavur.
- 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.145 of 2007 and
M.P.No.2 of 2007

RJ (CO)
kk 5/5

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