

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 10th 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 A.RAMAMURTHI (Retd.)  
and

Members

Mr. Mohamed Ismail  
Ms.Padma

C.M.A.No.1870 of 2010 and M.P.No.1 of 2010

(Appeal against the judgment and decree passed on 30.01.2009 made in M.C.O.P.No.23 of 2007 on the file of the Motor Accidents Claims Tribunal, Additional District Judge, Fast Track Court No.2, Cuddalore)

The National Insurance Company Limited,  
Cuddalore.

... Appellant/2<sup>nd</sup> Respondent

Vs.

1. Valli
2. Minor Roobakaran
3. Minor Yuvasri
4. Arumugam
5. Muthammal

(Minors 2 & 3 are rep. by  
their mother & Guardian  
1<sup>st</sup> respondent herein)

6. L.Bragartheeswari  
(R-6 set ex-parte in the lower court)

... Respondents/Petitioners/1<sup>st</sup> Respondent

This case came up for settlement before the Lok Adalat. Mr.Akilan, Manager of Insurance Company and the learned counsel for the Appellant Mr.Sree Vidya and the learned counsel for the respondents 1 to 5 Mr.K.Balu 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 appellant / Insurance Company has preferred the present appeal, aggrieved against the Tribunal award of Rs.8,18,776/- with interest at 7.5% from the date of filing of petition till the date of deposit.

2. Now both the parties have agreed to modify the award to a sum of Rs.7,18,000/- (Rupees Seven Lakhs Eighteen Thousand only) with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit as compensation.

3. Mr. Akilan, Manager of Insurance Company reported that they have already deposited the entire award amount before the Tribunal. Out of the deposited amount, first respondent is entitled to withdraw a sum of Rs.2,50,000/- with interest at 7.5% from the date of petition till the date of deposit and proportionate accrued interest if any, thereafter. The respondents 2 and 3 are being minors and their shares of Rs.2,00,000/- each with interest at 7.5% p.a. from the date of petition till the date of deposit and proportionate accrued interest if any shall be invested in any one of the Nationalised Banks till they attain majority and the guardian mother / first respondent herein is entitled to withdraw the quarterly interest. The fifth respondent is entitled to withdraw a sum of Rs.68,000/- with interest 7.5% from the date of petition till the date of deposit and proportionate accrued interest if any. The surplus amount, if any, shall be refunded to the appellant / Insurance Company. Award is passed accordingly.

4. 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

The National Insurance Company Limited,  
Cuddalore.

Sd/-

Counsel for the Appellant

Sd/-

1. Valli

Sd/-

2. Minor Roobakaran

Sd/-

3. Minor Yuvasri

(Minors 2 & 3 are rep. by  
their mother & Guardian  
1<sup>st</sup> respondent herein)

Sd/-

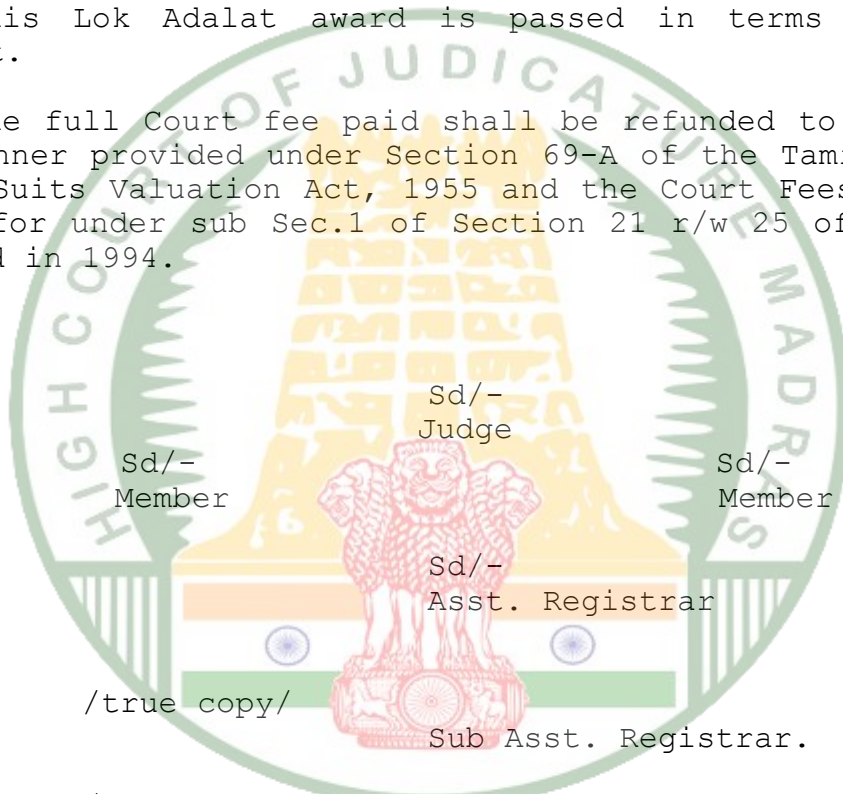
4. Muthammal

Sd/-

Counsel for the Respondents  
1 to 5

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.



To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Additional District Judge, Fast Track Court No.2, 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.
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AK(CO)  
CA(09/03/2015)