

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services Committee
Wednesday, the 04th day of February, 2015

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided by

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

Mr.P. Ganesan
Mr. S.R. Sundaram

C.M.A.No.1878 of 2013

(Appeal against the award and decree passed on 16.07.2010 made in MCOP. No.581 of 2007 on the file of the Motor Accidents Claims Tribunal, (Additional District Court, FTC No.III,) Tiruvallur).

A. Arumugam ...Appellant/Petitioner
Vs.

1.J. Andrewes
2.The Manager,
United India Insurance Company Ltd.,
Divisional Office,
Ambathur Industrial Estate,
Chennai 600 050. ... Respondents/Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Ms. A. Sulochana and the learned counsel for the respondent-2 Mr. D. Bhaskaran 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.1878 of 2013 pending on the file of High Court, Madras and preferred against the award passed in MCOP.No.581 of 2007, on the file of the Additional District Court, FTC No.III,) Tiruvallur) has been referred to Lok Adalat for conciliation today.

2.Both the parties are present with their respective counsel.

3. The Tribunal has awarded a sum of Rs.76,500/- with interest at 7.5% per annum from the date of petition till the date of deposit as compensation for the injury sustained by the appellant.The Insurance Company has represented that they have already deposited the entire award amount with interest before the Tribunal and the same was withdrawn by the appellant.

4. After great deliberation and discussion, both parties have comprised the disputed claim at Rs.2,00,000/- in full quit (inclusive of interest) over and above the award of the tribunal. The Insurance Company has agreed to deposit the enhanced compromised amount within a period of six weeks from the date of receipt of copy of the award. Immediately on deposit of the balance amount, the appellant is permitted to withdraw the enhanced award amount from the competent court without filing any formal petition. No order as to costs. The award is passed accordingly.

5. The Tribunal is directed to send for the amount on production of this award and issue the cheques 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.

Sd/-
A. Arumugam

Sd/-
Counsel for the Appellant

Sd/-
The Manager, United India
Insurance Company Ltd.,
Divisional Office,
Ambathur Industrial Estate,
Chennai 600 050.

Sd/-
Counsel for the Respondent-2

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/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The parties/Advocate concerned

Copy to

- 1.The Motor Accidents Claims Tribunal,
(Additional District Court, FTC No.III,) Tiruvallur.
- 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.

C.M.A.No.1878 of 2013

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