

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 22nd day of December 2015

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE N.V.BALASUBRAMANIAN(Retd.)
and

Members

Mr.I.Richard
Mrs.N.Jayabharathi

C.M.A.No.2676 of 2010 and M.P.No.1 of 2010

(Appeal against the judgment and decree passed on
26.03.2010 made in M.C.O.P.No.118 of 2009 on the file of the
Motor Accidents Claims Tribunal, Chief Judicial Magistrate,
Nagapattinam)

Ramesh @ Rameshkumar ... Appellant/Petitioner

Vs.

1.M.Kanagarajan (ex-parte)
2.The New India Assurance Company Limited,
Nagapattinam. Rep.by its Branch Manager,
Office at Neela South Street,
Nagapattinam Town & Munsif. .. Respondents

This case is not listed today. By consent of appellant and both counsel, this case is taken up for settlement before the Lok Adalat. Ms.J.B.Hepsibhah Jayanthi, learned counsel for the appellant and Mr.S.Selvendran, learned counsel for the second 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.1,02,400/- with interest at 7.5% p.a. from the date of petition i.e.25.02.2009 till the date of realization. It is represented

by the learned counsel for the appellant/claimant that the award amount has already been deposited before the Tribunal.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.1,75,000/- (One Lakh Seventy Five Thousand only) in full quit as additional compensation.

3. The second respondent / Insurance Company is directed to deposit the additional award amount within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the claimant / appellant is permitted to withdraw the additional award amount and original award amount, if not already withdrawn without filing any formal petition. The 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/-
Ramesh @ Rameshkumar

Sd/-
Counsel for the Appellant

Sd/-
The New India Assurance Company Limited,
Nagapattinam. Rep.by its Branch Manager,
Office at Neela South Street,
Nagapattinam Town & Munsif.
Respondent

Sd/-
Counsel for the second

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 VII)

//True Copy//

Sub Assistant Registrar

To:The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal,
Chief Judicial Magistrate,
Nagapattinam.
- 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.2676 of 2010
and M.P.No.1 of 2010

rsy(CO)
srg(07/01/2016)