

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Monday, the 10th day of August, 2015

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM(Retd.)
and

Members

Mr.R.PARANJOTHI

Mrs.S.SUJATHA

C.M.A.No.2021 of 2012

(Appeal filed v/s 173 of Mr. Act 1988 against the judgment and decree passed on 21.01.2012 in M.C.O.P.No.341 of 2010 on the file of the Motor Accidents Claims Tribunal, (Principal Subordinate Court, Virudhachalam)

M/s.Royal Sundaram Alliance Insurance Ltd.,
TVS Co., Operative Stores Building,
No.37, Krishna Rao Tank Street,
Madurai - 625 001.

... Appellant /
2nd Respondent

- Vs -

- 1.Visalatchi
- 2.Karthikeyan
- 3.Sambasivam
- 4.Albert Arulraj

R1 to R3 /Petitioner
R1 to R3 /Petitioner
R1 to R3 /Petitioner
4th Respondent /R1

(R-4 was set ex parte before the Tribunal)

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.N.Vijayaraghavan and Mr.Manivannan, learned counsel for the appellant and Mr.A. Murugan, 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 Tribunal has awarded a sum of Rs.7,12,567/- with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation. It is represented by the appellant/Insurance Company that the entire award amount with interest and costs has been deposited in the Tribunal.

2. Aggrieved against the award of the Tribunal, the appellant/Insurance Company has preferred the present appeal. After due deliberation and conciliation, both the parties have agreed to

modify the award to a sum of Rs.6,50,000/- (Rupees Six Lakhs and Fifty Thousands only) with interest at 7.5% per annum from the date of petition till the date of deposit and proportionate costs.

3. The first respondent is permitted to withdraw a sum of Rs.4,50,000/- (Rupees Four Lakhs and Fifty Thousands only) with interest and proportionate costs and respondents 2 and 3 are permitted to withdraw a sum of Rs.1,00,000/- (Rupee One Lakh only) each with interest and proportionate costs without filing any formal petition. After satisfaction of the decree, the surplus amount in the deposit shall be refunded to the appellant/Insurance Company. The 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.

M/s.Royal Sundaram Alliance Insurance Ltd.,
TVS Co., Operative Stores Building,
No.37, Krishna Rao Tank Street,
Madurai - 625 001.

Counsel for the Appellant

1.Visalatchi

2.Karthikeyan

3.Sambasivam

Counsel for the respondents

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/-

sd/-

sd/-

Judge

Member

Member

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

GV

To

The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal (Principal Subordinate Court, Virudhachalam.
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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cp 07/09/2015

C.M.A.No.2021 of 2012



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