

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 21st day of July, 2015

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE K. SWAMIDURAI (Retd.)
and

Members

Mr.G.Appasamy
Mrs. V.Nalini

CMA.No.2655 of 2013

(Appeal against the judgment and decree passed on 30.03.2012
made in M.C.O.P.No.53 of 2011 on the file of the Motor Accidents
Claims Tribunal (Subordinate Judge) Perundurai, Erode District).

M/s.National Insurance Co.Ltd.,
Branch Office,
Gopichettipalayam.

...Appellant

सत्यमेव जयते Vs.

- 1.Sasikala
- 2.Alaguraj
- 3.Duraisamy
- 4.G. Rajendran
- 5.The Managing Director,
Tamil Nadu State Transport Company,
Division - I, Kambam,
Theni District.

...Respondents

This case came up for settlement before the Lok Adalat. Both the
parties are present. The learned counsel for the appellant, Ms.N.B.
Surekha and the learned counsel for the first respondent,

Mr.Ma.Pa.Thangavel 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.1,61,400/-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 they have deposited only a portion of the award amount 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.95,000/- (Rupees Ninety Five Thousand only) with interest at 7.5% per annum from the date of petition till the date of deposit.

3. The appellant/Insurance Company is directed to deposit the balance of the modified award amount within a period of four weeks from the date of receipt of a copy of this order, after deducting the amount already deposited. On such deposit, the first respondent is permitted to withdraw the above said modified award amount without filing any formal petition. After satisfaction of the decree, the surplus amount, if any, shall be refunded to the appellant/Insurance Company without filing any formal petition. Award is passed accordingly.

4.The Tribunal is directed to issue the cheques to the parties concerned on proper identification by his counsel concerned appearing before the Tribunal, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected miscellaneous petition is closed, if any.

sd/-

M/s.National Insurance Co.Ltd.,
Branch Office,
Gopichettipalayam.

sd/-

Counsel for the appellant

sd/-
Sasikala

sd /-
Counsel for the first Respondent

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/-
Assistant Registrar(cs-II)

//True copy//

Sub Assistant Registrar

gv

To

The parties/Advocate concerned
Copy to:

- 1.The Motor Accidents Claims Tribunal(Subordinate Court) Perundurai, Erode District.
- 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 copys

CMA.No.2655 of 2013

mg(co)
cp 26.08.2015

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