

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services Committee
Thursday, the 16th 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 J.A.K.SAMPATHKUMAR(Retd.)

Members

and

Mr.Sowundarapandian

Mr.R.Vijayakamala

C.M.A.No.513 of 2009

(Appeal against the judgment and decree passed on 10.11.2008 made in W.C.No.164 of 2007 on the file of Court of Commissioner for Workmen's Compensation - 2 (Deputy Commissioner of Labour - 2, Chennai -6)

Divisional Manager,
The New India Insurance
Company Limited,
No.1, Bharathi Road,
Cuddalore - 607 001.

... Appellant/3rd Respondent

Vs.

1.C.Ramalingam
2.Syed Mathil
3.Abdul Nazar

... Respondents/Petitioners/
Respondents 1&2

This case is taken up for settlement before the Lok Adalat. Both parties are present. Mr.R.Neethi Perumal, the learned counsel for the appellant and Mr.R.Sreedhar for Ms.B.Kanikkai Arulmozhi, the learned counsel for the first 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 Commissioner of Workmen's Compensation has awarded a sum of Rs.2,76,549/- as compensation to be deposited before the Court by the Divisional Manager, New India Assurance Company Limited, Cuddalore within 30 days from the date of receipt of a copy of the order, failing which, the New India Assurance Company, Cuddalore shall pay interest at the rate of 12% per annum from the date of the accident till the date of deposit for aforesaid compensation before the Court. Aggrieved by the said award, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.2,40,000/- (Rupees Two Lakhs Forty Thousand only) in full quit as compensation.

3. It is represented by the appellant/Insurance Company that they have already deposited the entire award amount awarded before the Tribunal. After satisfaction of the decree, if balance is available with the Tribunal, it shall be refunded to the appellant / Insurance Company without filing any formal petition.

4. Out of the deposited amount, the first respondent is permitted to withdraw the modified award amount without filing any formal permission petition. The signatures of the respondents 2 and 3 are dispensed with. Award is passed accordingly.

5. The Commissioner of Workmen's Compensation 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 the Miscellaneous Petition is closed, if any.

Sd/-
Divisional Manager,
The New India Insurance Company Limited,
No.1, Bharathi Road,
Cuddalore - 607 001.

Sd/-
Counsel for the Appellant

Sd/-
C.Ramalingam

Sd/-
Counsel for the 1st Respondent

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

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Court of Commissioner for Workmen's Compensation -2 (Deputy Commissioner of Labour - 2, Chennai)
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 copie

C.M.A.SR.No.513 of 2009

NM(CO)
EU 25.08.15

सत्यमेव जयते

WEB COPY