

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 01st day of September, 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. P. Perumalappan
Ms. A. G. Esther Dorothy

CMA.No.456 of 2007

(Appeal against the judgment and decree passed on 22.03.2005 made in M.C.O.P.No.349 of 2000 on the file of the Motor Accidents Claims Tribunal (Subordinate Court) Dharmapuri).

National Insurance CO.Ltd.,
74-A, Paramathi Road,
Namakal Branch Officer,
Namakal Taluk and District.Appellant / Respondent -3

Vs.

1.C.Manickkam
2.K. Sakthivel
3.C. NagarathinamRespondents

(Respondents 2 and 3 were set ex parte before the Tribunal)

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mrs.N.B.Surekha and party-in-person for the 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.1,52,000/-with interest at 7.5% per annum from the date of petition till the date of deposit as compensation. It is represented by the appellant/Insurance Company that as per the interim stay order of the High Court, dated 28.02.2007, they have deposited a sum of Rs.1,50,000/- 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.1,00,000/-(Rupees One Lakh 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 amount within a period of four weeks from the date of receipt of a copy of this order. On such deposit, the first respondent is permitted to withdraw the same without filing any formal petition. Award is passed accordingly.

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

Sd/-
National Insurance CO.Ltd.,
74-A, Paramathi Road,
Namakal Branch Officer,
Namakal Taluk and District.

Sd/-
Counsel for the appellant

Sd/-
C.Manickkam

Sd/-
.Party-in-person

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/-
Member Judge

Sd/-
Member

To:
The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal (Subordinate Court) Dharmapuri.
 - 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
- gv

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