

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Friday, the 27th day of March 2015

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
The Hon'ble Mr.JUSTICE MALAI SUBRAMANIAN (Retd.)
and

Members

Mr. Justin George
Mrs.Daniel Mary

C.M.A.No.3003 of 2013

(Appeal against the judgment and decree passed on 20.09.2011 made in M.C.O.P.No.28 of 2007 on the file of the Motor Accidents Claims Tribunal cum Principal Subordinate Judge, Krishnagiri)

Murugan

... Appellant

Vs.

- 1.R.Palaniswamy
- 2.The Royal Sundaram Alliance Insurance Company Limited, Sundaram Towers, Nos.45 & 46 Whites Road, Chennai - 600 014.

(1st respondent was set ex-parte before the Tribunal)

... Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Mr.M.Selvam and the learned counsel for the 2nd respondent Mr.N.Vijayaraghavan 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.97,900/- with interest at 6% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the appellant/claimant that the award amount has already been deposited before the Tribunal and the same has been withdrawn by the claimant / appellant.

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.50,000/- (Fifty 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 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.

Sd/-
Murugan

Sd/-
Counsel for the Appellant

Sd/-
The Royal Sundaram Alliance
Insurance Company Limited,
Sundaram Towers,
Nos.45 & 46 Whites Road,
Chennai - 600 014.

Sd/-
Counsel for the 2nd 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 (Lok Adalat)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, cum Principal Subordinate Judge, Krishnagiri.
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.3003 of 2013

PPA (CO)
CA(11/05/2015)



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