

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 3rd day of June, 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.GNANAPRAKASAM (Retd.)
and

Members

Mr. G.Dharmaraj
Mr. Balasekar

C.M.A.No.3124 of 2013

(Appeal against the judgment and decree passed on 11.02.2013 made in M.C.O.P.No.1783 of 2010 on the file of the Motor Accident Claims Tribunal, XVII Addl.Judge, Chennai).

1.Jayalakshmi (Died)

2.Thangaraj

3.Sundarapandian

(impleaded as LR

on the memo filed today)

.. Appellants/Claimants

Vs.

1.Mohan (set exparte)

2.United India Insurance Co.Ltd.,

No.215, Old No.115, Prakasam Street,

Broadway,

Chennai - 600 108.

.. Respondents/Respondents

Both the parties are present. The learned Advocate for the appellant, Mr.S.Rathinamani and the learned Advocate for the 2nd respondent Mr.D.Bhaskaran 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

Tribunal has awarded a sum of Rs.4,86,000/- with interest at 7.5% per annum from the date of petition till the date of deposit.

2. After due deliberation and consultation, both the parties have agreed to settle at Rs.2,00,000/- (Rupees Two Lakhs only) in full quit over and above the amount awarded by the trial court. Out of this amount, the second appellant, Thangaraj is entitled to Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) and the third appellant Sundarapandian is entitled to Rs.50,000/- (Rupees Fifty Thousand only).

3. The second respondent is directed to deposit the above said modified award amount of Rs.2,00,000/- (Rupees Two Lakhs only), within a period of six weeks from the date of receipt of a copy of this order failing which, the respondent is liable to pay interest at the rate of 7.5% from the date of this award till deposit. On such deposit, the appellants/claimants are permitted to withdraw the above said modified award amount along with interest 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 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 Miscellaneous Petition is closed, if any.

1.Jayalakshmi (Died)

Sd/-

2.Thangaraj

Sd/-

3.Sundarapandian

(impleaded as LR

on the memo filed today)

Sd/-

Advocate for the Appellant

Sd/-

United India Insurance Co.Ltd.,
No.215, Old No.115, Prakasam Street,
Broadway,
Chennai - 600 108.

Sd/-

Advocate for the 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 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.

सत्यमेव जयते

Sd/-

Sd/-

Member

Judge

Sd/-

Member

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

WEB COPY

To:The parties/Advocate concerned

Copy to:

1.The Motor Accident Claims Tribunal, XVII Addl.Judge, Chennai.

2.The Secretary, High Court Legal Services Committee, Chennai.

3.The Section Officer, V.R.Section, High Court, Madras.

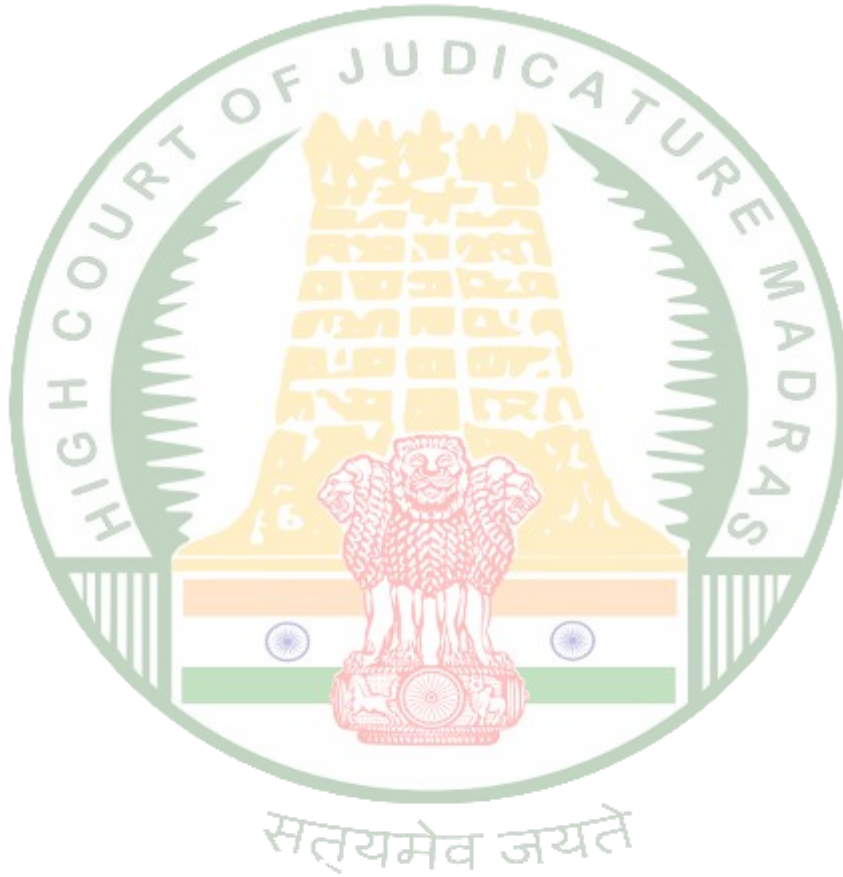
4.The Section Officer, Lok Adalat Section, High Court, Madras.

prm

C.M.A.No.3124 of 2013

vd(co)

pmk.23.7.2015



WEB COPY