

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 24th day of February 2015

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE MALAISUBRAMANIAN (Retd.)
and

Members

Ms.Kanmani Selvam
Ms.Danial Mary

C.M.A.No.526 of 2013 and M.P.No.1 of 2013

(Appeal against the judgment and decree passed on 25.04.2012 made in M.C.O.P.No.4776 of 2009 on the file of the Motor Accidents Claims Tribunal, IV Court of Small Causes, Chennai)

National Insurance Company Limited,
No.751, Mount Road,
Chennai - 02.

... Appellant/2nd Respondent

Vs.

1. K.Magesh

2. Rukmangthan

(second respondent was set ex-parte
before the Tribunal)

... Respondents/Petitioner/1st Respondent

This case came up for settlement before the Lok Adalat. Both parties are present. Ms.K.Saraswathy for C.R.Krishnamoorthy, the learned counsel for appellant and the learned counsel for the first respondent Mr.T.D.K.Govindarajan for Malini Balaji 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.11,83,000/- with interest at 7.5% per annum from the date of numbering petition, i.e., 29.12.2009 till the date of deposit and costs as compensation. Aggrieved by the award of the Tribunal, 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.12,90,000/- (Rupees Twelve Lakhs Ninety Thousand only) in full quit as compensation.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount, after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this order.

4. On such deposit the first respondent/claimant is entitled to withdraw the modified award amount without filing any formal petition before the Tribunal. 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. Consequently connected the Miscellaneous amount is closed.

Sd/-
National Insurance Company Limited,
No.751, Mount Road,
Chennai - 02.

Sd/-
Counsel for the Appellant

Sd/-
K.Magesh

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/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, IV Curt of Small Causes, 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 copies

C.M.A.No.526 of 2013
and M.P.No.1 of 2013

AK(CO)
CA(09/03/2015)

सत्यमेव जयते

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