

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 24th 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 P.THANGAVEL (Retd.)

and

Members

1.Mr.V.C.Suresh

2.Ms.Narmadha Sampath

C.M.A.No.547 of 2013 and M.P.No.1 of 2013

(Appeal filed under section 173 of Motor Vehicles Act, 1988 against the Judgment and decree passed on 28.03.2012 made in M.C.O.P.No.9 of 2010 on the file of the Motor Accident Claims Tribunal, Sub Court, Mettur)

Branch Manager,

M/s National Insurance Company Limited,

Salem Main Road, Mettur Dam R.S.2,

Mettur Taluk, Salem District. ... Appellant/2nd Respondent

Vs.

1.Mrs.Jaya Lakshmi

2.Mr.Vasanthakumar

3.Mrs.Bhuvaneswari

4.Mr.K.Subramaniam

... Respondents 1 to 3/Petitioners

... 4th Respondent/Ist Respondent

(4th respondent is dispensed with)

This case came up for settlement before the Lok Adalat. The learned counsel for the appellant Mr.G.Udayasankar and the learned counsel for the respondents 1 to 3 Mr.R.Subramanian 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 appeal in C.M.A.No.547 of 2013 pending on the file of High Court, Madras and preferred against the award passed in M.C.O.P.No.9 of 2010 on the file of the Sub Court, Mettur has been referred to Lok Adalat for conciliation today.

2. The appellant / Insurance Company, Coimbatore represented

by its Deputy Manager and Assistant Manager, viz.,
<https://hcservices.courts.gov.in/hcservices/>

Mr.G.Chandrasekaran & Mr.M.Umakanth respectively and assisted by counsel and the respondents 1 to 3 , who are the petitioners before the Tribunal and assisted by counsel are present before the Lok Adalat for conciliation today.

3. This is a case of fatal . After great deliberation and discussion, both the parties have compromised the disputed claim at Rs.5,00,000/- (Rupees Five Lakhs only) in full quit as against the Tribunal award of Rs.4,57,000/- with interest at the rate of 6% p.a. from the date of petition till the date of realisation.

4. The appellant / Insurance Company officials reported that they have already deposited the entire award amount before the Tribunal, as per the interim order of the High Court, Madras, dated 04.06.2013.

5. The respondents 1 to 3, who are the petitioners 1 to 3 before the Tribunal shall apportion the compromised amount in the ratio in which the Tribunal has apportioned the award amount between the parties, less the amount already withdrawn if any without filing any formal petition before the Tribunal. After satisfaction of the decree, if any balance is available with the Tribunal, the same shall be refunded to the Appellant / Insurance Company. Award is passed accordingly.

6. The Tribunal is directed to issue the cheques to the parties 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 the miscellaneous petition is closed.

Sd/-
Branch Manager,
M/s National Insurance Company Limited,
Salem Main Road, Mettur Dam R.S.2,
Mettur Taluk, Salem District. Sd/-
Counsel for the Appellant

Sd/-
1.Mrs.Jaya Lakshmi

Sd/-
2.Mr.Vasanthakumar

Sd/-
3.Mrs.Bhuvaneswari

Sd/-
Counsel for the Respondents 1 to 3

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties 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/-
Member

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar

//True Copy//

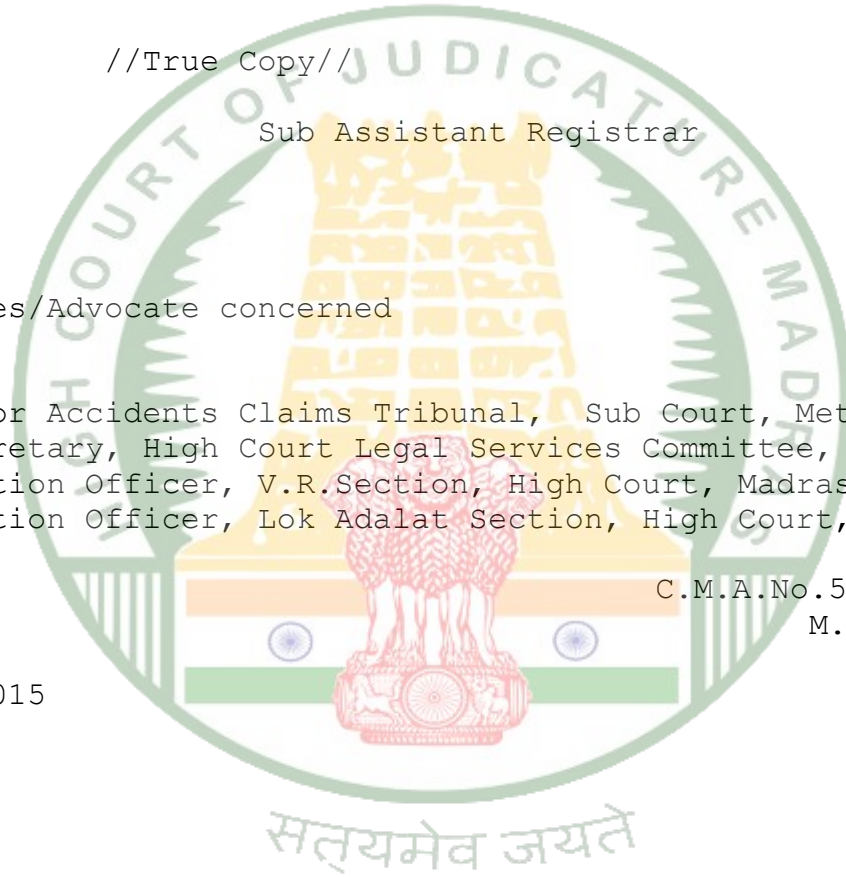
Sub Assistant Registrar

To
The parties/Advocate concerned
Copy to

- 1.The Motor Accidents Claims Tribunal, Sub Court, Mettur.
- 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.547 of 2013 and
M.P.No.1 of 2013

Vd(co)
pmk.5.5.2015



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