

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 17th 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

Mr.J. Venkatesa Perumal  
Mr. M. Suresh Kumar

C.M.A.No.714 of 2006

(Against the Appeal and decree passed on 07.07.2005 made in M.C.O.P.No.162 of 2005 on the file of the Motor Accidents Claims Tribunal (Chief Judicial Magistrate) Erode).

The Managing Director,  
Tamil Nadu State Transport Corporation Ltd.,  
Division No.II, Chennimalai  
Erode - 2.

... Appellant/2<sup>nd</sup> Respondent

Vs.

1.M. Saminathan  
2.P.Elango  
(R-2 was given up)

... 1<sup>st</sup> Respondent/Petitioner  
... 2<sup>nd</sup> Respondents/1<sup>st</sup> Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. Party-in- Person for the appellant, Mr.A. Rajendran SDM (HRD) and the learned counsel for the first respondent, Ms. T. Dhanalakshmi for M/s. N. Manokaran 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.714 of 2006 pending on the file of High Court, Madras and preferred against the award passed in the M.C.O.P.No.162 of 2005, on the file of (Chief Judicial Magistrate) Erode, has been referred to Lok Adalat for conciliation today.

2. The appellant, Tamilnadu State Transport Corporation Limited Erode Division represented by Mr.A. Rajendran, SDM(HRD) and the first respondent assisted by counsel are present before Lok Adalat for conciliation today.

3. The Tribunal has awarded a sum of Rs.1,05,000/- with interest at 9% per annum from the date of petition till the date of deposit as compensation. The appellant/Transport Corporation has represented that they have already deposited the entire award amount before the Tribunal. Aggrieved against the award of the Tribunal, the Transport Corporation has preferred this present appeal.

4. After great deliberation and discussion, both parties have compromised the disputed claim at Rs.1,15,000/- (Rupees One Lakh and Fifteen Thousand Only) in full quit. Out of the deposited amount, the first respondent is permitted to withdraw the above said modified award amount without filing any formal petition. After satisfaction of the decree, the surplus amount shall be refunded to the appellant/Transport Corporation without filing any formal petition. No order as to costs. The award is passed accordingly.

5. The Tribunal is directed to send for the amount on production of this award and issue the cheques to the parties 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/-

The Managing Director,  
Tamil Nadu State Transport Corporation Ltd.,  
Division No.II,  
Erode.

Sd/-

Party-in-person

Sd/-

M. Saminathan

Sd/-

Counsel for the first Respondent

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

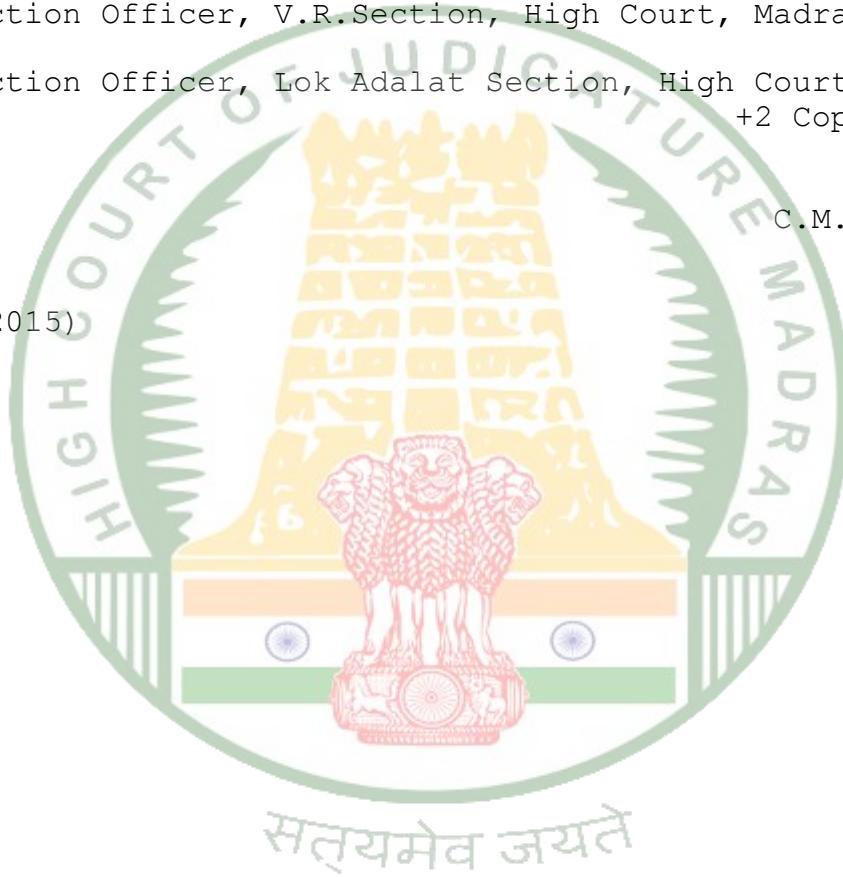
The parties/Advocate concerned

Copy to

1. The Motor Accidents Claims Tribunal (Chief Judicial Magistrate)  
Erode.
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.714 of 2006

KM(CO)  
CA(30/03/2015)



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