

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.387 of 2014

(Appeal against the Judgment and decree passed on 27.09.2011 made in M.C.O.P.No.152 of 2010 on the file of the Motor Accident Claims Tribunal (Additional District Court) F.T.C. II of Gopichettipalayam at Erode District)

M/s National Insurance Company Limited,
Rep. by Branch Manager,
No.7, Raja Veethi,
Gopichettipalayam

.. Appellant/3rd Respondent

Vs.

- 1.Thiru P.Arumugam

..1st Respondent/Petitioner

- 2.Thiru Perumal

..2nd Respondent/1st Respondent

3. Tmt.P.Loganayagi

.. 3rd Respondent/2nd Respondent

(Respondents 2 and 3 were ex-parte
before the Tribunal)

This case is not listed today. On representation of the learned on both sides, this case is taken up for settlement before the Lok Adalat. The learned counsel for the appellant Mr.Chandran and the learned counsel for the first respondent Mr.V.C.Nandakumar 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.387 of 2014 pending on the file of High Court, Madras and preferred against the award passed in M.C.O.P.No.152 of 2010 on the file of the Additional District Court, Gobichettipalayam has been referred to Lok Adalat for conciliation today.

2. The appellant / Insurance Company, Gobichettipalayam represented by its Deputy Manager and Assistant Manager, viz., Mr.G.Chandrasekaran & Mr.M.Umakanth respectively and assisted by counsel and the first respondent, who is the petitioner before the Tribunal and assisted by counsel are present before the Lok Adalat for conciliation today.

3. This is a case of injury. After great deliberation and discussion, both the parties have compromised the disputed claim at Rs.7,20,000/- (Rupees Seven Lakhs Twenty Thousand only) with interest at the rate of 7.5% from the date of petition till the date of deposit as against the Tribunal award of Rs.8,00,000/- with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit.

4. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the appellant / Insurance Company shall pay a sum of Rs.7,20,000/- with interest at the rate of 7.5% from the date of petition till the date of deposit to the claim of the first respondent, less the amount already deposited, if any, which is ordered to be deposited before the Competent Court, within a period of six weeks from the date of receipt of a copy of this award.

5. The first respondent is permitted to withdraw the disputed claim of Rs.7,20,000/- with interest at the rate of 7.5% from the date of petition till the date of deposit.

6. The Tribunal is directed to issue the cheque to the party concerned on proper identification by his counsel concerned appearing before the Tribunal, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-

M/s National Insurance Company Limited,
Rep by Branch Manager,
No.7, Raja Veethi,
Gopichettipalayam

sd/-

Counsel for the Appellant

sd/-

Thiru P.Arumugam

sd/-

Counsel for the 1st 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, (Additional District Court) F.T.C. II of Gopichettipalayam at Erode District)
- 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)

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C.M.A.No.387 of 2014

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