

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 22nd day of March, 2016

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE A.RAMAMURTHI (Retd.)
and

Members

Mr.R.Shanmugam
Mr.M.Sankar

C.M.A.No.2042 of 2015

(Appeal against the judgment and decree passed on
18.10.2013 in M.C.O.P.No.2057 of 2009 on the file of the Motor
Accidents Claims Tribunal (Chief Judicial Magistrate) Cuddalore)

V.Sabanayagam ... Appellant

Vs.

1.S.Mathivanan
(Respondent - 1 was set ex parte before the Tribunal)

2.The National Insurance Co.,Ltd,
Branch - II,
Jawaharlal Nehru Street,
Pondicherry - 1.

...Respondents

This case came up for settlement before the Lok Adalat.
Both parties are present. Mr.K.Sivakumar, learned counsel for
the appellant and Mr.C.R.Krishnamoorthy, learned counsel for
the second respondent 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.3,68,000/- with
interest at 12% per annum from the date of filing the petition
till the date of deposit and costs as compensation. Aggrieved
by the award of the Tribunal, the appellant / claimant has
preferred the present appeal.

2. After due deliberation and conciliation, both the
parties have agreed to enhance the award of the Tribunal with an
additional sum of Rs.6,25,000/- (Rupees Six Lakhs and Twenty Five

Thousands only) in full quit (inclusive of interest).

3. The second respondent / Insurance Company is directed to deposit the above said enhanced award amount of Rs.6,25,000/- (Rupees Six Lakhs and Twenty Five Thousands only), within a period of eight weeks from the date of receipt of a copy of this order.

4. On such deposit, the appellant/claimant is permitted to withdraw the entire award amount without filing any formal petition. Award is modified 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 Miscellaneous Petition is closed.

-s/d-
V.Sabanayagam

-s/d-
Counsel for the Appellant

-s/d-
The National Insurance Co.,Ltd,
Branch - II,
Jawaharlal Nehru Street,
Pondicherry - 1.

-s/d-
Counsel for 2nd 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.

-s/d-
Member

-s/d-
Judge

-s/d-
Member

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

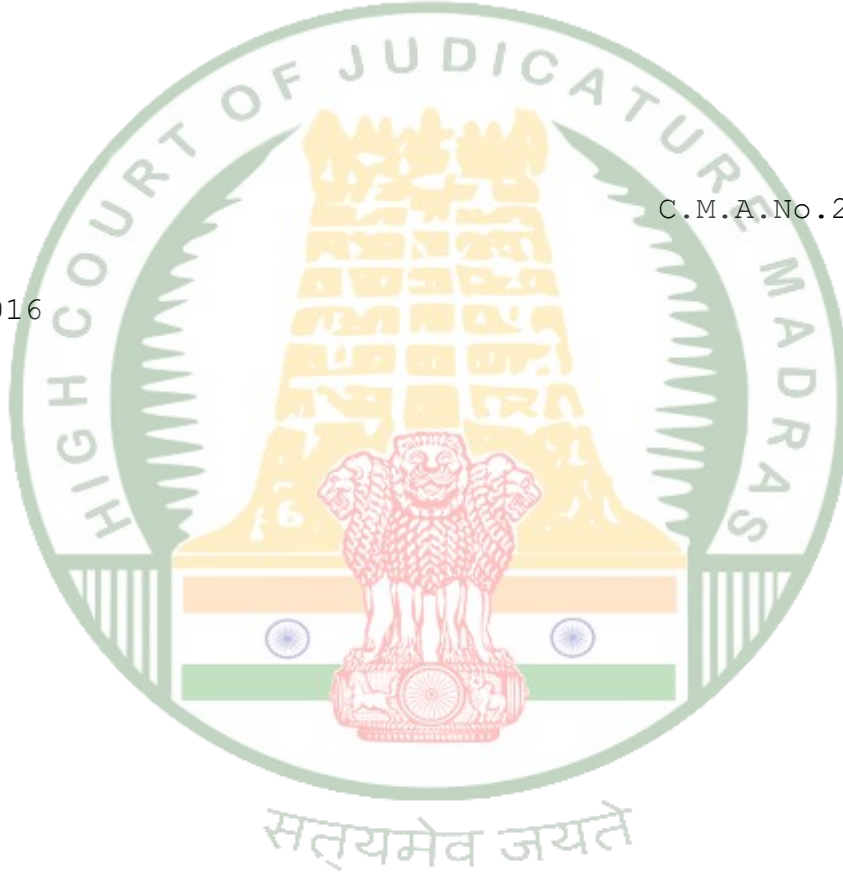
To:

- 1.The Motor Accidents Claims Tribunal, (Chief Judicial Magistrate) Cuddalore.
 - 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.
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gv

C.M.A.No.2042 of 2015

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