

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Friday, the 23rd day of December, 2016

LOK ADALAT AWARD

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

Presided by

Hon'ble Mr.JUSTICE MALAISUBRAMANIAN (Retd.,)

and

Members

Mr. K.S. Venkatachalam

Mr. M. Boopathy

C.M.A. No. 2710 of 2016

(Appeal against the Judgment and decree passed in MCOP.
No. 1325 of 2014 dated 31.03.2016 on the file of the Motor
Accident Claims Tribunal, I Additional District Judge,
Cuddalore).

The Divisional Manager,
National Insurance Company Ltd.,
Cuddalore

...Appellant/2nd Respondent

Vs.

1.T. Krishnaveni
W/o. Thangavel

2.S. Sekar

S/o. Shanmuga Sundaram ...Respondents/Petitioner 1st
Respondent

(R2 remained exparte and notice
dispensed with for him)

The case came up for settlement before the Lok Adalat.
Both the parties are present. The learned counsel for the
appellant, Mrs R. Sree Vidhya is present. The learned
counsel for the respondent Mrs. Ramya V. Rao is 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

Both the parties and their respective counsel are present.

2.The Tribunal has awarded a sum of Rs. 2,60,000/- with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

3.Aggrieved by the award of the tribunal, the appellant/Insurance Company has preferred the present appeal.

4. Now the parties agreed to modify the award for a sum of Rs. 1,30,000/- with interest at 7.5% p.a. from the date of petition till the date of deposit. The Pay and Recovery order passed by the tribunal is sustained. The Insurance Company is directed to deposit the modified award amount with interest within a period of six weeks from the date of receipt of a copy of this order less the amount already deposited, if any. On such deposit, the respondent is permitted to withdraw the modified amount with proportionate interest. Award is modified accordingly.

5.The Tribunal is directed to 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 Divisional Manager,
National Insurance Company Ltd.,
Cuddalore.

sd-
Counsel for Appellant

sd-
T. Krishnaveni
W/o. Thangavel

sd-
Counsel for 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-
Judge

sd-
Member

sd-
Member

To

The parties/Advocate concerned
Copy to

- 1.The I Additional District Judge, 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.

MSM(CO)
GN(13/02/2017)

C.M.A. No. 2710 of 2016



WEB COPY