

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Thursday, the 15th day of December 2016

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE MALAISUBRAMANIAN (Retd.)
and

Members

Mr.P. Ganesan
Mr.M. Sankar

C.M.A.No.1780 of 2014

(Award against the Judgment and decree passed by the Motor Accident Claims Tribunal, Principal District Court, Vellore made in M.C.O.P.No.212 of 2011 dated 05.06.2013)

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Vellore. ... Respondent / Appellant

- Vs -

- 1.Lakshmi
- 2.Meenakshi
- 3.Minor Suganya
- 4.Minor Karthikeyan
- 5.Devaki
- 6.Lakshmi Narashiman
- 7.Minors 3&4 Represented
- 8.bytheir mother 1st Petitioner... Petitioner/ Respondents

9.Anandan .. Respondent/Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.K.J. Sivakumar, the learned counsel for the Appellant and Mr.R. Jaikumar for T. Fenn Walter Associates, learned counsel for the respondents 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

The appeal in C.M.A.No.1780/2014 pending on the file of the Hon'ble High Court, Madras and preferred against the award passed in M.C.O.P.No.212/2011 on the file of Motor Accidents Claims Tribunal, Principal District Court, Vellore has been referred to Lok Adalat for conciliation today.

The Tribunal has awarded a sum of Rs.12,63,350/- with interest at 7.5 % p. a. from the date of petition till the date of deposit. Aggrieved at the award passed by the Tribunal the Appellant has come forward with this appeal. After great deliberation and discussion both parties have compromised the disputed claim at Rs.12,00,000 towards full quit of the compensation.

Appellant / Tamil Nadu State Transport Corporation Ltd., Vellore shall pay a sum of Rs.12,00,000 towards full quit of the claim in the appeal and the said amount shall be deposited before the Competent Court within 6 weeks from the date of receipt of copy of this award.

In view of the compromise arrived at between both parties the Lok Adalat hereby declare and decree that the Respondents 5 and 6 shall withdraw a sum of Rs.50,000/- each, respondents 2 to 4 shall withdraw a sum of Rs.2,50,000/- each and respondent 1 shall withdraw a sum of Rs.3,50,000/-.

Though respondents 3 and 4 were minors aged about 16 and 14 respectively as on the year 2010, since they attained majority as on today they were permitted to withdraw the amounts on compensation and they were also permitted to sign the award.

On deposit of the refixed compensation by the Appellant before the Competent Tribunal, the claimants are permitted to withdraw the entire amount as per the details above without filing any formal petition. Award is passed accordingly.

The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
Vellore.

sd/-
Counsel for the Appellant

1.Lakshmi

2.Meenakshi

3.Suganya

4.Karthikeyan

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5.Devaki

6.Lakshmi Narashiman

sd/-

Counsel for the Respondents

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.

sd/-
Judge

sd/-
Member

sd/-
Member

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

The parties/Advocate concerned

Copy to

- 1.The Motor Accident Claims Tribunal, Principal District Court, Vellore.
 - 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)

VSN(CO)
GN(23/01/2017)

C.M.A.No.1780/2014

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