

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Monday, the 13th day of June, 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.R.Duraiswamy
Mrs.G.A.Girija

C.M.A.No.723 of 2016 and C.M.P.No.5875 of 2016

(Appeal against the judgment and decree passed on 27.11.2015
made in M.C.O.P.No.43 of 2014 on the file of the Motor
Accidents Claims Tribunal III Additional District and Sessions
Judge, Virudhachalam)

The Manager,
The Oriental Insurance Company Limited,
No.4, Visitors Road, Block -2, Neyveli -1. Appellant

Vs.

1.Minor.Harisakthivel
rep. by guardian father Ganesan

2.Mr.S.R.Senthilkumar (Ex-parte before the
Lower Court) ... Respondents

This case came up for settlement before the Lok Adalat.
Mrs.Hemalatha Sankar and P.Baskar, for Insurance
Company/appellant and Mr.J.Chandran, learned counsel for the
appellant and Mr.V.Dakshinamoorthy, learned counsel for the
first 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.15,85,000/- with
interest at 7.5% per annum from the date of petition till the
date of deposit and costs as compensation. Aggrieved by the
award of the Tribunal, the appellant / Insurance Company had
preferred the present appeal.

2. After due deliberation and consultation, both the
parties have agreed to modify the award to a sum of

Rs.12,50,000/- (Rupees Twelve Lakhs Fifty Thousand only) along with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount, after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this order.

4. On such deposit, the first respondent / father of the minor, viz., Ganesan is permitted to withdraw the above said modified award amount along with interest and costs. Award is passed 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.

Sd/-

The Manager,
The Oriental Insurance Company Limited,
No.4, Visitors Road, Block -2,
Neyveli -1.

Sd/-

Counsel for the Appellant

Sd/-

Minor.Harisakthivel
rep. by guardian father Ganesan

Sd/-

Counsel for the 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.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

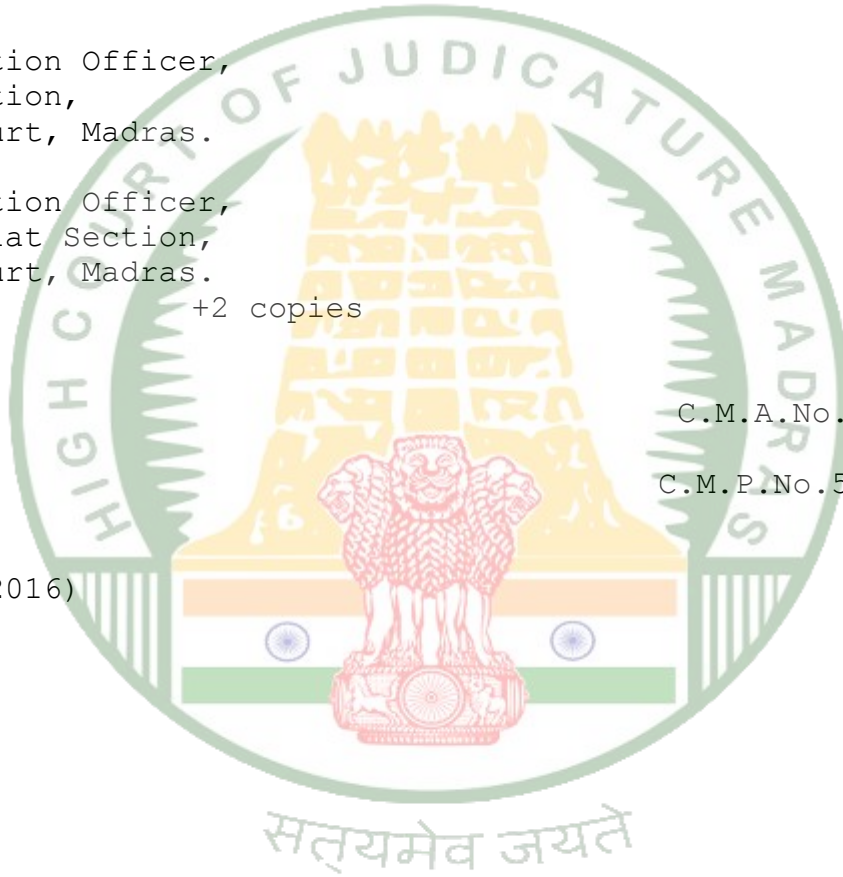
Copy to:

1. The Motor Accidents Claims Tribunal,
III Additional District and Sessions Judge,
Virudhachalam.
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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C.M.A.No.723 of 2016
and
C.M.P.No.5875 of 2016

ALA (CO)
CA (21/06/2016)



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