

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Friday, the 18th 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

Mrs.Hemalatha Daniel
Mr.M.Boopathi

C.M.A.No.2614 of 2014

(Appeal against the judgment and decree passed on 17.01.2014 made in M.C.O.P.No.4369 of 2011 on the file of the Motor Accidents Claims Tribunal (V Court of Small Causes) Chennai)

M/s.Royal Sundaram Alliance Industries Co.Ltd.,
Whites Road,
Chennai 600 002. ... Appellant/2nd respondent

Vs.

1.N.Rajagopalan

2.D.Jayakumar

(R-2 was set ex parte before the Tribunal) .. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. Mr.Jaganathan, for Mr.M.B.Gopalan, learned counsel for the appellant and Mr.S.Giritharan, 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.28,34,000/-

with interest at 7.5% per annum from the date of filing of the

petition till the date of deposit as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal. It is represented by the appellant / Insurance Company that they have already deposited a sum of Rs.44,22,800/- before the Tribunal.

2. After due deliberation and consultation, both the parties have agreed to modify the award of the Tribunal to a sum of Rs.17,00,000/- (Rupees Seventeen Lakhs only) with interest at 7.5% per annum from the date of filing of the petition till the date of deposit along with costs of the Tribunal and proportionate accrued interest from the date of deposit.

3. Out of the deposited amount, the first respondent / claimant is entitled to withdraw the modified award amount of Rs.17,00,000/- (Rupees Seventeen Lakhs only) with interest at 7.5% per annum from the date of filing of the petition till the date of deposit along with costs of the Tribunal and proportionate accrued interest from the date of deposit, less Tax Deduction at Source. After satisfaction of the decree, the surplus amount lying in the deposit shall be refunded to the Insurance Company without filing any formal petition. Award is modified accordingly.

4. 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, if any, is closed.

Sd/-

M/s.Royal Sundaram Alliance Industries Co.Ltd.,
Whites Road,
Chennai 600 002.

Sd/-

Counsel for the Appellant

Sd/-

N.Rajagopalan

Sd/-

Counsel for the first 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

<https://hcservices.ecourts.gov.in/hcservices/>

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/-
Member

Sd/-
Judge

Member

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

To:

The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, (V Court of Small Causes) Chennai.
 - 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.

gv

C.M.A.No.2614 of 2014

rsi co
kra 30.03.2016

सत्यमेव जयते

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