

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 28th 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 N.V.BALASUBRAMANIAN(Retd.)
and

Members

Mr.R.Kanagasabapathy
Mr.Balusekar

C.M.A.No.741 of 2009 and M.P.No.1 of 2009

(Appeal against the judgment and decree passed on 29.08.2008 made in M.C.O.P.No.594 of 2005 on the file of the Motor Accidents Claims Tribunal Additional District Judge, FTC-I, Chengalpattu)

The Manager,
National Insurance Company Limited,
751 Anna Salai, Chennai - 2. .. Appellant/R2

Vs.

1.K.Annapoorani
2.K.Soundararajan
3.K.Srinivasa Rao (ex-parte before the Tribunal)
.. Respondents/Petitioners and R1

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.S.Arunkumar, the learned counsel for the appellant and Mr.N.Easwaran, the learned counsel for the respondents 1 and 2 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.3,70,000/- 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. The appellant / Insurance Company official reported that they had already deposited the entire

award amount before the Tribunal, as per the interim stay order of High Court on 30.03.2009.

2. After due deliberation and consultation, both the parties have agreed to modify the award of the Tribunal to a sum of Rs.3,00,000/- (Rupees Three Lakhs only) with interest at the rate of 7.5% per annum from the date of petition till the date of deposit as compensation.

3. Out of the deposited amount, the respondents 1 and 2 are permitted to withdraw the modified award amount with accrued interest in equal share without filing any formal petition before the Tribunal. After satisfaction of the decree, if balance is available with the Tribunal, it shall be refunded to the appellant / Insurance Company. Award is passed accordingly.

4. 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. Consequently, connected Miscellaneous Petition is closed.

(Sd)
The Manager,
National Insurance Company Limited, (Sd)
751 Anna Salai, Chennai - 2. Counsel for the Appellant

(Sd)
1.K.Annapoorani

(Sd) (Sd)
2.K.Soundararajan Counsel for the Respondents 1 & 2

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) (Sd) (Sd)
Member Judge Member

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Additional District Judge, FTC-I, Chengalpattu.
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

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