

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 22nd 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

Mr.R.Shanmugam
Mr.M.Sankar

C.M.A.No.2578 of 2006

(Appeal against the judgment and decree passed on 19.04.2006 in M.C.O.P.No.364 of 2003 on the file of the Motor Accidents Claims Tribunal (Subordinate Court,Vellore District)).

D.Munusamy

... Appellant

Vs.

1.M.Shankar

2. National Insurance Co.,Ltd,
Divisional Manager,
No.1, Officers Line,
Vellore.

..Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. Appellant/Mr.D.Munusamy, appeared as party-in-person and identified by lower court learned counsel, Mr.Yuvaraj(Enrollment No.148 of 2007). Mr.Vadivel, learned counsel for the second respondent is also 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.15,000/- with interest at 9% per annum from the date of filing the petition till the date of deposit and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / claimant has

preferred the present appeal for enhancement of the compensation amount against the first respondent / owner of the vehicle.

2. Now, both the parties have agreed that instead of first respondent/owner paying the amount, the second respondent is ready and willing to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in full quit (inclusive of interest).

3. The second respondent / Insurance Company is directed to deposit the above said modified award amount of Rs.15,000/- (Rupees Fifteen Thousand only), less the amount already deposited, if any, within a period of four weeks from the date of receipt of a copy of this order.

4. On such deposit, the appellant/claimant is permitted to withdraw the entire award amount without filing any formal petition. Award is modified 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/-
D.Munusamy

Sd/-
Counsel for the Appellant

Sd/-
National Insurance Co.,Ltd,
Divisional Manager,
No.1, Officers Line,
Vellore.

Sd/-
Counsel for 2nd 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/-
Member

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

To:

The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, ((Subordinate Court,Vellore) Vellore District.
- 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.2578 of 2006

ak co
kra 22.04.2016

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