

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Thursday, the 28th day of January, 2016

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)

and

Members

Mr.K.Ramasamy

Mrs.G.A.Girija

C.M.A.No.883 of 2006

(Appeal against the Judgment and decree passed on 18.07.2005 in MACTOP.No.458 of 2001 on the file of Motor Accidents Claims Tribunal, (Principal Sub Court, Villupuram).

The Managing Director,
Tamilnadu State Transport
Corporation Ltd.,
Villupuram.

...Appellant

Vs.

Minor.Selva Kumari @ Selva Rani
rep. by mother Karupayee

...Respondent

This case came up for settlement before the Lok Adalat. The learned counsel for the appellant, Mr.K.J.Sivakumar and the learned counsel for the respondent, Mr.S.Dhandapany, 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 appeal in C.M.A.No.883 of 2006 pending on the file of High Court, Madras and preferred against the award passed in MACTOP.No.458 of 2001 on the file of Motor Accidents Claims Tribunal, (Principal Sub Court, Villupuram) has been referred to Lok Adalat for conciliation today.

2. Both the parties are present with their respective counsel.

3. The Tribunal has awarded a sum of Rs.1,06,250/- with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit. It is represented by the

appellant/Transport Corporation that they had already deposited the entire award amount with interest in the Tribunal.

4. Aggrieved against the award of the Tribunal, the appellant/Transport Corporation has preferred the present appeal.

5. After great deliberation and discussion, both the parties have compromised the disputed claim at Rs.1,87,000/- (Rupees One Lakh and Eighty Seven Thousand only) in full quit (inclusive of interest).

6. The learned counsel appearing for the respondent represented that the respondent, who is the petitioner before the Tribunal, was minor at the time of filing this petition and she has now become a major. But, the necessary declaration has not been obtained as major for the respondent herein so far. Hence, the respondent herein is at liberty to move the competent court to declare her as major by producing the necessary documents and on declaration, she is permitted to withdraw the entire amount due to her after giving credit to the amount already withdrawn, if any.

7. The balance amount standing to the credit of this proceeding, is ordered to be refunded to the appellant/Transport Corporation after settlement of the amount due to the claimant/respondent. Award is passed accordingly. Consequently, connected miscellaneous petition, if any, is closed.

The Tribunal is directed to issue the cheque to the party concerned on proper identification by their counsel concerned appearing before the Tribunal, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-

The Managing Director,
Tamilnadu State Transport Corporation Ltd.,
Villupuram.

Sd/-

Counsel for the Appellant

Sd/-

Minor.Selva Kumari @ Selva Rani
rep. by mother Karupayee

Sd/-

Counsel for the Respondent

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the appellant in the manner provided under 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(CS IV)

//True Copy//

Sub Assistant Registrar

Gv

To
The parties/Advocate concerned

Copy to

- 1.The Motor Accidents Claims Tribunal, (Principal Sub Court, Villupuram).
 - 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

सत्यमेव जयते C.M.A.No.883 of 2006

MP (CO)
Eu 28.1.16

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