

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat - I organised by the High Court Legal Services
Committee

Monday, the 30th day of January 2017

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.V.C. Suresh
Mr.M. Sureshkumar

C.M.A.No.1102 of 2015 and M.P.No.1 of 2015

(Appeal against the award and decree dated 25.11.2014 made
in M.C.O.P.No.71 of 2013 on the file of The Motor Accidents
Claims Tribunal, District Judge, Krishnagiri)

The Oriental Insurance Co.Ltd.,
Represented by its Branch Manager,
By-pass Road, Hosur. ... Appellant/2nd Respondent

- Vs -

1.M. Premkumar ... Petitioners/Respondents
2.Shymala Devi
3.Anu Gayathri
4.T. Ellappan ... 1st Respondent

This case came up for settlement before the Lok Adalat. Both
the parties are present. M/S.S. Arunkumar, the learned counsel
for the Appellant and Mr.M. Premkumar, Party-in-person 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.1102/2015 pending on the file of the
Hon'ble High Court, Madras and preferred against the award
passed in M.C.O.P.No.71/2013 on the file of The Motor Accidents
Claims Tribunal, District Judge, Krishnagiri has been referred
to Lok Adalat for conciliation today.

The Tribunal has awarded a sum of Rs.13,80,000/- with
interest at 7.5 % p. a. and cost from the date of petition till
the date of deposit. A portion of the awarded amount
is said to have been deposited in the Competent Court.
Aggrieved at the award passed by the Tribunal, the Appellant has
come forward with this appeal. After great deliberation and

discussion both parties have compromised the disputed claim at Rs.12,00,000/- (Rupees Twelve Lakhs Only) with interest at 7.5 % p. a. from the date of petition till the date of deposit and cost.

In view of the compromise arrived at between both parties, the Lok Adalat hereby declare and decree that the appellant Insurance Company shall pay a sum of Rs.12,00,000/- with interest as mentioned above and costs to the respondents 1 to 3 towards claim of the respondents 1 to 3 within 6 weeks from the date of receipt of copy of this award. If the appellant has already deposited any amount towards the settled amount, the appellant shall deposit the balance amount within 6 weeks from the date of receipt of copy of this award.

If there is any excess amount standing to the credit of this proceedings after payment of the amount due to the appellant, the Insurance Company is permitted to withdraw from the Competent Court, the balance amount along with interest. The settled amount shall be apportioned between the respondents 1 to 3 / claimants in the ratio as already apportioned by the Tribunal in the award immediately on deposit of the settled amount. Respondents 1 to 3 shall withdraw their shares without filing formal petition. Award is passed accordingly. No order as to cost.

-s/d-

The Oriental Insurance Co.Ltd.,
Represented by its Branch Manager, -s/d-
By-pass Road, Hosur. Counsel for the Appellant

-s/d-
M. Premkumar

-s/d-
Party-in-person

-s/d-
Shymala Devi

-s/d-
Anu Gayathri

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.

-s/d-
Judge

-s/d-
Member

-s/d-
Member

-s/d-
Assistant Registrar(LA)

True Copy

Sub-Assistant Registrar

To

The parties/Advocate concerned

Copy to

- 1.The Motor Accidents Claims Tribunal, District Judge, Krishnagiri.
 - 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)

C.M.A.No.1102/2015
and
M.P.No.1 of 2015

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