

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 25th day of October 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.Arumugam
Mrs.Hen Riethachinnathambi

C.M.A.No.1783 of 2016

Prayer :- Appeal against the Judgment and Decree dated 17.10.2014 passed in M.C.O.P.No.1336 of 2010 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate Court, Cuddalore, Cuddalore District.)

The Managing Director,
Tamil Nadu State Transport
Corporation, Division - 1,
No.3/137, Salamedu, Vazhuthareddy Post,
Villupuram.

.. Appellant/Respondent

सत्यमेव जयते
Vs.

P.Illayaraja

.. Respondent/Petitioner

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This case is not listed today, by consent of learned counsel for both sides, this case is taken up for settlement before the Lok Adalat. Mr.K.J.Sivakumar, learned counsel for the appellant and Mr.R.Rajkumar, learned counsel for the 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 appeal in CMA.No.1783 of 2016 pending of the file of the High Court of Madras and preferred against the award passed in M.C.O.P.No.1336 of 2010 on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate Court, Cuddalore, Cuddalore District has been referred the Lok Adalat for conciliation today.

2. The appellant / Tamil Nadu State Transport Corporation Ltd., Chennai represented by its Managing Director assisted by counsel and the respondent, who is the petitioner before the tribunal, assisted by the counsel are present before the Lok Adalat for conciliation today. This is a case of Motor accident causing injury to the petitioner/claimant. The tribunal has passed an award for a sum of Rs.1,27,404/- along with interest at the rate of 7.5% p.a. from the date of filing of petition i.e. 27.07.2010 till the date of deposit with cost. It is reported by the appellant / Transport Corporation Official that they have already deposited the entire award amount with interest in the Tribunal.

3. After great deliberation and discussion, both parties have compromised to the disputed claim at Rs.1,70,000/- towards full quit of the claim. After satisfaction of the decree, if balance is available with the Tribunal, it shall be refunded to the appellant / Transport Company.

4. Out of the deposited amount, the respondent/claimant is permitted to withdraw a sum of Rs.1,70,000/- towards full quit of the claim immediately without filing any formal petition before the Tribunal. No order as to costs. Award is passed 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, if any.

Sd/-
The Managing Director,
Tamil Nadu State Transport
Corporation, Division - 1,
No.3/137, Salamedu, Vazhuthareddy Post,
Villupuram.

Sd/-
Counsel for the Appellant

L.T.I/-
P.Illayaraja

Sd/-
Counsel for the 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/-
Judge

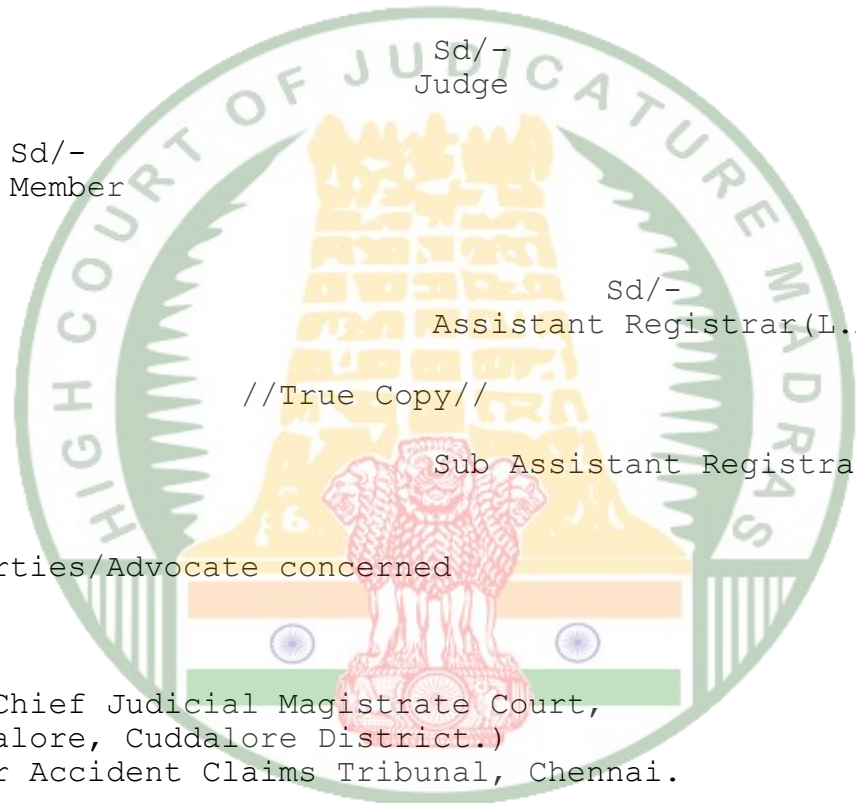
Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

The seal of the High Court of Judicature Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red elephant standing in front of it. The text "HIGH COURT OF JUDICATURE MADRAS" is written in a green circle around the central image. Below the elephant, the motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

To: The parties/Advocate concerned

Copy to:

1. The Chief Judicial Magistrate Court, Cuddalore, Cuddalore District.) Motor Accident Claims Tribunal, 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

C.M.A.No.1783 of 2016

RK(CO)
CS/30.01.18