

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

Friday, the 14th day of July 2017

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE J.A.K.SAMPATH KUMAR (Retd.)

and

Members

Mr. G.Appasamy

Mr. Balasekar

C.M.A.No.1666 of 2015 and
CMP.No. 1 of 2015

(Appeal against the award and decree passed on 02.12.2014
in M.C.O.P.No.3177 of 2010 on the file of the Motor Accidents
Claims Tribunal (VI Court of Small Causes,) Chennai.)

The New India Assurance Co.Ltd,
F-46, First Main Road,
Anna Nagar,
Chennai- 600 102.

... Appellant/ 2nd Respondent

Vs.

1.Mr.Devarajan

2.D.Lakshmi

... Respondents/Petitioners

3.K.Iyyappan

... 1st Respondent / Respondents

On representation of the learned counsel for both sides,
this case taken up for settlement before the Lok Adalat. Both
the parties are present. The learned counsel for the appellant
Mr.Ramesh Babu and the learned counsel for the respondents
Mr.N.Kamaraj 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

Both parties and her counsels are present.

The Tribunal has awarded a sum of Rs.11,19,500/- with
interest at 7.5% per annum from the date of petition till the
date of deposit. Aggrieved by the award of the Tribunal, the
Appellant/Insurance Company had preferred the present appeal.

2. As per the orders of the High Court, the Insurance
Company was directed to deposit 50% of the award amount
together with interest there on. On such deposit the petitioners
/ Claimants were permitted to withdraw 50 % of the amount
deposited by the insurance Company.

3. After due deliberation and consultation, both the parties

have agreed to settle and the petitioners / claimants are willing to withdraw the entire amount with accrued interest deposited by the Insurance Company in M.C.O.P.No. 3177 of 2010 VI Court of Small Causes, Chennai.

4. The Insurance Company has given no objection for such withdrawal. The appeal is disposed.

5. The petitioners / Claimants namely Mr.Devaraj and D.Lakshmi are entitled to withdraw the entire amount deposited by the Insurance Company with accrued interest which is lying in the Court deposit under M.C.O.P.No.3177 of 2010 VI Court of Small Causes, Chennai. The parties shall share the amount equally.

6. 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- sd-
The New India Assurance Co.Ltd, Counsel for the Appellant

sd-
1.Mr.Devarajan

sd-
2.D.Lakshmi

sd-
Counsel for the Respondents

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

The Court fee paid shall be refunded to the parties 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(LA)

//True Copy//

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Sub Assistant Registrar

To
The parties/Advocate concerned

Copy to

- 1.The Motor Accidents Claims Tribunal
(VI Small Causes Court, 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)

MG (CO)
GN(11/08/2017)

C.M.A.No.1666 of 2015



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