

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 20th day of June 2017

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)
and

Members

Mr.I.Richard
Mr.Balusekar

C.M.A.No.228 of 2011
and
M.P.No.1 of 2011

(Appeal against the judgment and decree passed on 31.03.2010
made in M.C.O.P.No.585 of 2008 on the file of the Motor
Accidents Claims Tribunal, Principal District Judge, Namakkal.

The Branch Manager
M/s National Insurance Company
No.74 -s, Paramathy Road,
Namakkal.

Vs.

... Appellant

1.Mahalakshmi
2.Kannammal

(2nd respondent was set ex-parte before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat.
Both the parties are present. Mr.N.B.Surekha, learned counsel
for the Insurance Company and the learned counsel for the first
respondent Mr.C.Jegadesh and Mr.K.P.Sureshkumar 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 Tribunal has awarded a sum of Rs.6,39,000/- with
interest at 7.5% per annum from the date of petition till the
date of deposit and costs as compensation. Aggrieved by the
award of the Tribunal, the appellant / Insurance Company had
preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.6,00,000/- (Rupees Six Lakhs only) along with interest at 7.5% per annum from the date of petition till the date of deposit as compensation.

3. It is represented by the learned counsel for the appellant / Insurance Company that a sum of Rs.5,75,000/- has already been deposited before the Tribunal.

4. The appellant / Insurance Company is directed to deposit a sum of Rs.25,000/- along with interest 7.5% within a period of three months from the date of receipt of a copy of this order. On such deposit, the first respondent is permitted to withdraw the modified award amount without filing any formal petition before the Tribunal. 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 Branch Manager
M/s National Insurance Company
No.74 -s, Paramathy Road,
Namakkal.

Sd/-
Counsel for the Appellant

Sd/-
Mahalakshmi
Sd/-

Counsel for the first respondent-1

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/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

Copy to:

- 1.The Motor Accidents Claims Tribunal, (Principal District Judge) Namakkal.
- 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.

C.M.A.No.228 of 2011

NR 07/08/2017

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