

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

Thursday, the 16th day of March 2017

LOK ADALAT-II 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.Justin George
Mr.Kapoor Chordia

C.M.A.No.2433 of 2011

(Appeal against the award and decree passed on 11.11.2010
made in M.C.O.P.No.1343 of 2005 on the file of the Motor
Accidents Claims Tribunal, I Additional Sub Judge, Cuddalore
District.)

1.M/s.Neyveli Lignite Corporation Ltd.,
Neyveli.

2.The Divisional Manager,
New India Assurance Co. Ltd.,
Divisional Office,
Cuddalore-607 001.

.. Appellants / Respondents

Vs.

M.Murali S/O.Mahipathy,
Om. Sakthi Nagar, Vadalur and Post,
Cuddalore Taluk and District. .. Respondent/Petitioner

By consent of both the parties, this case is taken up for
settlement before the Lok Adalat. The second appellant and
respondent is present. The learned counsel for the 2nd appellant
Mr.M.Krishnamoorthy and the learned counsel for the respondent
Mr.R.Sreedhar 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.8,98,000/- with interest at 7.5% per annum as compensation from the date of filing the petition till the date of deposit.

2. The first appellant is the owner of the vehicle and the second appellant is the insurer of the vehicle and a joint appeal has been preferred challenging the award. After frank and open discussions with both the parties, the dispute has been settled at Rs.8,00,000/- with 7.5% interest from the date of filing the claim petition till the date of deposit and the second appellant shall pay the modified award amount.

3. It is informed that the second appellant herein has deposited a part amount and the Insurance Company is directed to deposit the modified amount, less amount already deposited, within six weeks from the date of receipt of a copy of this order. On such deposit the respondent/claimant is entitled to withdraw the same without insisting on any formal permission petition and the same is awarded accordingly. The Civil Miscellaneous Appeal is disposed of accordingly.

sd/-

M.Murali S/O.Mahipathy

sd/-

Counsel for second Appellant

sd/-

The Divisional Manager,
New India Assurance Co. Ltd.
Divisional Office,
Cuddalore-607 001.

sd/-

Counsel for the Respondent

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

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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

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

The parties/Advocate concerned
Copy to

- 1.The Motor Accidents Claims Tribunal, I Additional Sub Judge, Cuddalore, District.
- 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.2433 of 2011

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