

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
wednesday, the 11th 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 M.THANIKACHALAM (Retd.)
and

Members

Mr.G.Palaniappen
Ms.Danies Marry

C.M.A.No.2283 of 2016 and C.M.P.No.16055 of 2016
(Appeal against the Judgment and Decree made in
M.C.O.P.No.3749 of 2011 dated 08.07.2014. on the file of the
Motor Accidents Claims Tribunal V Court of Small Causes,
Chennai)

Metro Politan Transport Corporation,
(Chennai Division) Limited,
represented by its Managing Director,
Pallavan Salai,
Chennai - 600 002. ... Appellant/Respondent

Vs.

1.M.Ramadevi

2.G.Manoharan ... Respondents/Claimants

This case is taken up for settlement before the Lok Adalat.
Both the parties are present. The learned counsel for the
appellant, Mr.K.S.Suresh and the learned counsel for the
respondents, Mr.N.M.Muthurajan and Mr.R.Kalaiyaran 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.11,95,000/- (Rupees
Eleven lakhs Ninety five Thousand only) as compensation with
interest at 7.5% per annum from the date of petition till the
date of deposit.

2. For the death of their son, the claimants/
respondents, have filed a claim petition claiming a
compensation in a sum of Rs. 12,00,000/- (Rupees Twelve lakhs)
and the Trial Court after the trial, passed an award directing
the Transport corporation to pay a sum of Rs.11,95,000/- (Rupees
Eleven lakhs Ninety five thousand) which is challenged by the
Transport corporation by way of appeal.

3. During the pendency of the appeal, the parties have decided to settle the matter, and accordingly both parties, represented by their counsel have reached an understanding in which it was agreed, by the claimant to receive a sum of Rs.16,00,875/- in full quit of the claim of the claimant. Thus, the award of the trial Court is to be modified. As per the settlement reached between the parties, as agreed by both, supported by the respective learned counsel for the respondent. They agreed to receive a sum of Rs.11,95,000/- (Rupees Eleven lakhs Ninety five Thousand) in full quit of the claim for which the Transport Corporation is agreeable.

4. The appellant / Transport Corporation is directed to pay the modified award amount for a sum of Rs16,00,875 to the claimants /respondents within a period of Eight weeks from the date of receipt of copy of this order.

5. The appellant/respondent had deposited a sum of Rs.9,00,875/- (Rupees Nine lakhs eight hundred and seventy five) they have to deposit the balance of Rs.7,00,000/- (Rupees seven lakhs only) which they to pay within a period of eight weeks from the date of receipt of a copy of this order. On such deposit the respondent claimant shall share the amount in equal monitory in the trial Court .

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.

Sd/-
Metro politan Transport Corporation,
(Chennai Division) Limited , represented by its
The Managing Director,
Pallavan Salai,
Chennai - 600 002.

Sd/-
Counsel for the Appellant

Sd/-
1.M.Ramadevi
Sd/-
2.G.Manoharan

Sd/-
Counsel for the Respondent

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

To
The parties/Advocate concerned

Copy to:

- 1.The Vth Court of Small Causes, 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

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C.M.A.No.2283 of 2016



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