

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.2297 of 2016

Prayer :- Appeal against the judgment and decree dated
22.04.2013 passed in M.C.O.P.No.234 of 2009 on the file of the
Motor Accidents Claims Tribunal, Subordinate Judge, Arani)

The Managing Director,
M/s Tamil Nadu State Transport
Corporation Limited,
Thiruvannamalai Division,
Thiruvannamalai. ... Appellant/Respondent

Vs.

1. R.A.Rajendran
2. R.Srinivasan
3. Minor.R.Sudhangan

Minor represented by his father
and guardian 1st petitioner

R.A.Rajendran) ... Respondents/Petitioners

This case is not listed today, by consent of learned counsel
for the appellant and Transport official, this case is taken up
for settlement before the Lok Adalat. Mr.K.J.Sivakumar, learned
counsel for the appellant and Mr.G.Punniakoti and T.Ramesh,
learned counsel for the respondents 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.2297 of 2016 pending on the file of
the High Court of Madras and preferred against the award passed
in M.C.O.P.No.234 of 2009 on the file of the Subordinate Judge,
Arani has been referred the Lok Adalat for conciliation today.

2. The appellant / Tamil Nadu State Transport Corporation
Ltd., Thiruvannamalai represented by its Managing Director and
the respondents who are petitioners before the tribunal are
present before the Lok Adalat assisted by their respective

counsel. This is a case of fatal accident. The tribunal has passed an award for a sum of Rs.24,02,060/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit with cost. After great deliberation and discussion both parties have compromised the dispute between them and fixed the compensation at Rs.30,00,000/- (Rupees Thirty lakhs only) towards full quit of their claim.

3. In view of the compromise arrived at between both parties, the Lok Adalat hereby declare and decree that the Transport Corporation is directed to deposit the balance amount after deducting the amount already deposited before the competent Court, immediately to the respondents 1 to 3 within eight weeks from the date of receipt of copy of this award.

4. On the deposit of the balance amount, the claimant/respondents 1 and 2 are permitted to withdraw a sum of Rs.20,00,000/- in equal share. The share of the minor 3rd respondent is ordered to be deposited in any one of Nationalised Bank, till he attains majority. It is represented before the Lok Adalat that the 3rd respondent has also attained majority already. The 3rd respondent is directed to move the competent Court to declare him as major. After declared by the said Court, he is permitted to withdraw his share amount, namely Rs.10,00,000/- immediately without filing any formal petition. No order as to costs. Award is passed accordingly.

5. The Tribunal is directed to issue the cheques to the parties 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.

Sd/-

The Managing Director,
M/s Tamil Nadu State Transport
Corporation Limited,
Thiruvannamalai Division,
Thiruvannamalai.

Sd/-

Counsel for the Appellant

Sd/-

1. R.A.Rajendran

Sd/-

2. R.Srinivasan

Sd/-

3. Minor.R.Sudhangan

Minor represented by his father
and guardian 1st petitioner
(R.Rajendran)

Sd/-

Counsel for the Respondents

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

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal, Subordinate Judge, Arani.
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

BR(CO)
SM:28.11.2017

C.M.A.No.2297 of 2016

सत्यमेव जयते

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