

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.2445 of 2016

(Appeal against the award made in M.C.O.P.No.2504 of 2009 dated 31.08.2012 on the file of Motor Accidents Claims Tribunal -III Court of Small Causes, Chennai)

The Managing Director,
Metropolitan Transport Corporation,
(Chennai Division), Pallavan House,
Pallavan Salai,
Chennai - 600 002.

.. Appellant/Respondent

Vs.

1.Girija

2.M.Kumar

.. Respondent/Petitioner

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.Abdul Kani 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 respondents in this appeal have filed a claim petition for the death their son, compensation at Rs.6,00,000/- which was opposed. The trial court granted an award of Rs.5,60,000/- with interest there on. The Transport Corporation aggrieved by the said award, preferred this appeal and while the appeal is pending, parties have settled the matter

by the advise of elders and counsel, as the case may be. In pursuance of the compromise reached between the parties, the following order is passed.

2. The respondents/claimants have agreed to receive a sum of Rs.6,93,700 in full quit of the claim for which the award is to be modified. The Transport Corporation /appellant is directed to deposit the balance amount of Rs.1,40,000/-, since they have deposited a sum of Rs.5,53,700. Award passed accordingly. The respondents are directed to share the amount in equal moity.

3. The appellant / Transport Corporation is directed to deposit the modified award amount, after deducting the amount already deposited if any, within a period of eight weeks, from the date of receipt of a copy of this order. On such deposit, the respondents are permitted to withdraw the modified award amount in equal share, without filing any formal petition before the Tribunal. The Award is passed accordingly.

7. 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/-
The Managing Director,
Metro politian Transport Corporation,
(Chennai Division)
Pallavan Salai,
Chennai - 600 002.

Sd/-
Counsel for the Appellant

Sd/-
1.Girija

Sd/-
2.M.Kumar

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
<https://hcservices.ecourts.gov.in/hcservices/>

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

//True copy//

Sub Assistant Registrar

To
The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims, Tribunal -III 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

C.M.A.No.2445 of 2016

RSI (CO)
GN(04/12/2017)

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