

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 14th day of July 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.Ramalingam
Mr.M.Sankar

C.M.A.No.1764 of 2017

(Appeal against the judgment and decree passed on 20.09.2013
made in M.C.O.P.No.111 of 2013 on the file of the Motor
Accidents Claims Tribunal, Second Additional District Judge,
Tindivanam.

M/s Royal Sundaram Alliance Insurance Co.Ltd
Chennai. .. Appellant

Vs.

1.Sulochana

2.Minor Aakash age 7 years
Minor rep by Next friend mother sulochana

3.Jeyakumar (Respondent 3 Ex-parte) .. Respondents

This case is not listed today. By consent of both parties
and their counsel, this case is taken up for settlement before
the Lok Adalat. Mr.M.Krishnamoorthy Counsel for the appellant
and Mr.G.R.Sathyasaravanan Counsel for first and second
respondent 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.5,74,068/- with
interest at 7.5% per annum from the date of filing of the
petition till the date of deposit and costs as compensation.
The Tribunal has ordered that out of the total award amount, the

1st petitioner /respondent is entitled for Rs.3,00,000/- including loss of consortium and the minor son 2nd petitioner/ second respondent is entitled for a sum o f Rs.2,74,068/- as compensation . Aggrieved by the award of the Tribunal, the appellatant / Insurance Company has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.7,00,000/- (Rupees seven Lakhs only) as full and final settlement.

3. The appellatant / Insurance Company is directed to deposit the above said settled award amount, after deducting the amount already deposited if any, within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the first respondent / claimant is permitted to withdraw Rs.4,00,000/- from the settled award amount without filing any formal petition before the Tribunal. The second respondent /minor claimant's share amount of Rs.3,00,000/- shall be deposited in any nationalised bank till he attains majority and the first petitioner mother is entitled to receive the interest amount of the minor once in 3 months directly from the bank for the maintenance of the minor. 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.

Sd/-

M/s Royal Sundaram Alliance Insurance Co.Ltd

Sd/-

Counsel for the Appellant

Sd/-

Sulochana

(for herself and for minor child)

Sd/-

Counsel for the first respondent

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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(CO)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal, Second Additional District Judge, Tindivanam.

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.1764 of 2017

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