

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court

Legal Services Committee

Friday, the 9th day of June 2017

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM (Retd.)

and

Members

Mr.J.Venkatesa Perumal

Mr.M.R.Suryakumar

C.M.A.No.2525 of 2016

(Appeal against the judgment and decree in M.C.O.P. No.159 of 2014, dated 16.11.2015 on the file of the Motor Accidents Claims Tribunal, Subordinate Court, Hosur).

Manager-Claims,
SBI General Insurance Company Limited,
Natraj, 101,201 & 301,
Junction of Western Express Highway and
Andheri Kurla Road,
Andheri (East), Mumbai-400 069.
C/o. Branch Office,
SBI General Insurance Company Limited,
Ground & First Floor, Rukmani Towers,
3-1, Platform Road/Railway Approach Road,
Sesathiripuram, Bengaluru-560 020. ... Appellant/2nd Respondent

Vs.

1.Rajagopal

2.Rajammal

3.Mohana

4.Minor Amsaveni

5.Minor Arun Kumar

6.Minor Thamizh Arasan

(Minors 4 to 6 represented by their
mother & 3rd respondent herein)

... Respondents 1 to 6/
Claimants

7. M.Devaraj

.. 7th Respondent/1st Respondent

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This case is not in the list. Taken up by consent. Both parties are present. The learned counsel for the appellant Mr.N.Vijayaraghavan and the learned counsel for the respondents (1 to 6) Mr. Mukund R Pandiyan and the parties 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.24,19,000/- (Rupees twenty four lakhs and nineteen thousand only) with interest at 7.5% per annum from the date of filing the petition till the date of deposit as compensation. Aggrieved by the award of the Tribunal, the appellant/Insurance Company had preferred the present appeal.

2. The case is settled and the award amount fixed at Rs.19,00,000/- (Rupees Nineteen lakhs only) in full quit. There is already a deposit made by the Insurance Company of Rs.14,41,066/- (Rupees Fourteen lakhs forty one thousand sixty six only). The Insurance company shall deposit the balance of the award amount within a period of six weeks from the date of receipt of a copy of this order.

3. The first respondent viz. Rajagopal and the second respondent viz. Rajammal, who are the parents of the deceased shall get Rs.50,000/- (Rupees fifty thousand only) each. The third respondent viz. Mohana, shall get Rs.9,00,000/- (Rupees Nine Lakhs only). The minor respondents 4 to 6 viz. Amsaveni, Arun Kumar and Thamizh Arasan respectively, shall get Rs.3,00,000/- (Rupees three lakhs only) each. Minors' share of the award amount shall be deposited with the State Bank of India, Hosur Branch, for a period till the minors attain the age of majority. The interest can be withdrawn by the mother quarterly for the benefit of the minors.

4. The respondents 1,2 and 3 are entitled to withdraw the money of their share from the Court on production of this award without any further petition.

5. The respondent No.3 is entitled to Rs.9,00,000/- (Rupees Nine lakhs only), as she represents that she wants to put up a house for the benefit of the minors.

Sd/-
Manager-Claims,
SBI General Insurance Company Limited,
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Junction of Western Express Highway and

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Andheri (East), Mumbai-400 069.

C/o.
Branch Office,
SBI General Insurance Company Limited,
Ground & First Floor, Rukmani Towers,
3-1, Platform Road/Railway Approach Road,
Sesathiripuram, Bengaluru-560 020.

Sd/-
Counsel for the Appellant

Sd/-
1.Rajagopal
2.Rajammal
3.Mohana
4.Minor Amsaveni
5.Minor Arun Kumar
6.Minor Thamizh Arasan
(Minors 4 to 6 represented by their
mother & 3rd respondent herein)

Sd/-
Counsel for Respondents (1 to 6)

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

The Court fee paid shall be refunded to the appellant 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

सत्यमेव जयते

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Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

To

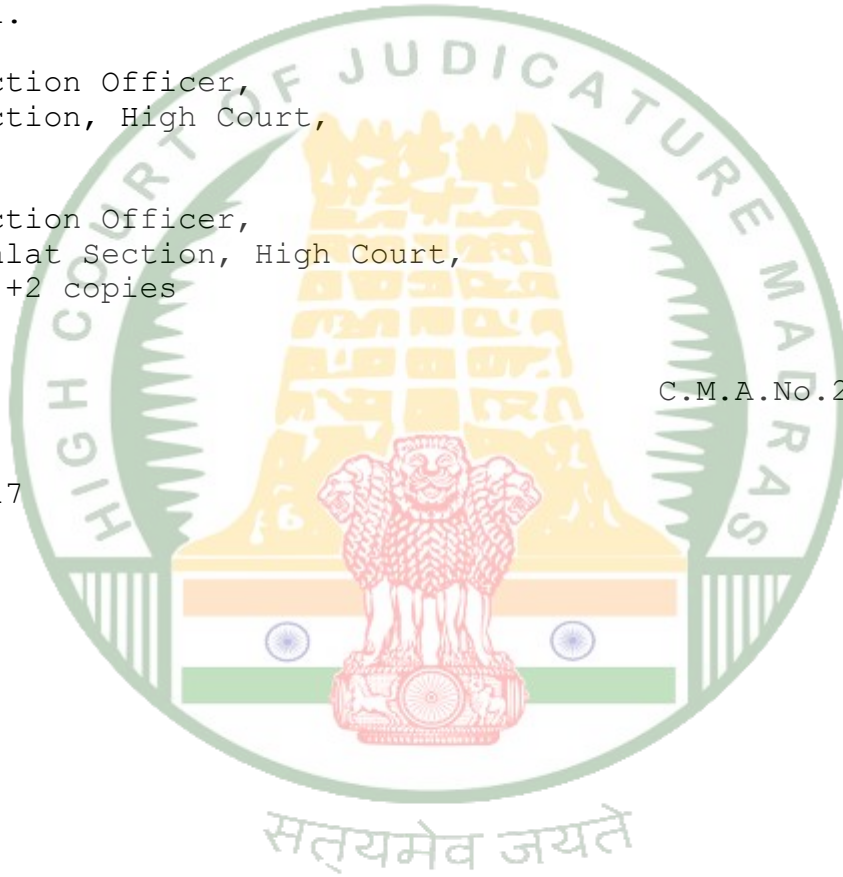
The parties/Advocate concerned

Copy to

1. The Motor Accidents Claims Tribunal,
Subordinate Court, Hosur.
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.2525 of 2016

KGK(CO)
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