HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Monday, the 3rd day of April 2017
LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by
The Hon'ble Mr. JUSTICE K. SWAMIDURAI(Retd.)

and

Members

Mr. R. Paranjothi (District Judge Retd.)
Mrs. V. Usharani

C.M.A.No.2884 of 2015 & M.P.No.1 of 2015

(Against the award and decree passed on 16.07.2015 made in M.C.O.P.No.3497 of 2012 , on the file of the Motor Accidents Claims Tribunal, VI Court of Small Causes, Chennai.)

TATA AIG General Insurance Company Limited,
No.1, Ethiraj Salai,
Egmore, Chennai - 600 008.
.. Appellant/2nd Respondent

Vs.

1.G. Panneer Selvam .. 1st Respondent/Petitioner
2.M. Sarveswaran
(Set-exparte before the Tribunal).. 2nd Respondent/
1st Respondent

On representation of the counsel for both sides this case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.N.Vijayaraghavan & Manivannan, the learned counsel for Appellant/ Insurance Company, and the learned counsel for the 1st Respondent M/s. A.A.Venkatesan & R. Janagi are present. After mutual discussion, negotiation, mediation and conciliation between both the arties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.11,82,000/- (Rupees Eleven lakhs eighty two thousand only) with interest at 7.5% per annum from the date of petition till the date of deposit and

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costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.10,25,000/- (Rupees Ten Lakhs Twenty five Thousand only) in full quit as compensation.

3. The appellant / Insurance Company has already deposited a sum of Rs.15,37,727/- (Rupees Fifteen lakhs thirty seven thousand seven hundred and twenty seven only), hence after deducting the modified award amount of Rs.10,25,000/- (Rupees Ten Lakhs Twenty five Thousand only), the remaining amount of Rs.5,12,727/- (Rupees five lakhs twelve thousand seven hundred and twenty seven only) has to be refunded to the appellant/ Insurance Company. Therefore, the claimant / 1st Respondent is permitted to withdraw the modified amount without filing any formal petition. Award is passed accordingly.

4. 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, if any.

Sd/-
TATA AIG General Insurance Company Limited,
No.1, Ethiraj Salai,
Egmore, Chennai - 600 008.

Sd/-
Counsel for the Appellant

Sd/-
G. Panneer Selvam

Sd/-
Counsel for the 1st Respondent

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

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To:The parties/Advocate concerned

Copy to:

1.The Motor Accidents Claims Tribunal, VI 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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M.P.No.1 of 2015

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VR(21/4/2017)

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