

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Wednesday, the 26th 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.J.D. Rukmangathan
Mrs. Sredevi

C.M.A No.2731 of 2016
& C.M.P 19696 of 2016

(Appeal against the Judgment and Decree dated 15.06.2016 passed
in M.A.C.T.O.P.No. 769 of 2013 on the file of the Motor
Accidents Claims Tribunal (Special Subordinate Judges Court)
Cuddalore.

The Divisional Manager,
National Insurance Co Ltd,
Divisional Office, Jawaharlal Nehru Street,
Pondicherry- 605 001.

Now by National Ins. Co. Ltd,
Motor third Party Claims Hub,
3rd Floor, No. 46, Moore Street,
Chennai- 600 001

... Appellant/2nd Respondent

Vs.

1.Minor Vishal

Minor Respresented by his mother
and next Friend and Guardian Mrs. Rasathi.

सत्यमेव जयते...Respondents/Petitioner

2. K. Vijayakumar

(exparte before the Tribunal) ..Respondents

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This case came up for settlement before the Lok Adalat.
Both parties are present. M/s. P. Sankarannarayanan the learned
counsel for the Appellant is present. Mr.P.Elayaperumal the
learned counsel for the respondent is present. After mutual
discussion, negotiation, 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.3,48,846/- (Rupees Three Lakhs Forty Eight Thousand and Eight Hundred Forty Six Only) with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation.

2. Not satisfied with the award of the Tribunal, the appellant/Insurance Company has preferred the present appeal. Now, both the parties have agreed to modify the award to a sum of Rs.2,40,000/- (Rupees Two Lakhs Forty Thousand only) with interest. It is represented by the appellant/Insurance Company that they have already deposited a sum of Rs. 25,000/- (Rupees Twenty Five thousand only) before the Tribunal. Balance amount is to be deposited within a period of six weeks.

3. The first respondent / Claimant is entitled to the above said modified award amount. The share of the minor respondent shall be deposited in anyone of the nationalised bank. The first respondent on attaining the age of majority, is permitted to withdraw his share on production of age proof certificate before the Tribunal. The Award is passed accordingly.

4. 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. Connected Miscellaneous petition is closed.

Sd/-

The Divisional Manager,
National Insurance Co Ltd,
Divisional Office, Jawaharlal Nehru Street,
Pondicherry- 605 001.

Now by National Ins. Co. Ltd,
Motor third Party Claims Hub,
3rd Floor, No. 46, Moore Street,
Chennai- 600 001.

Sd/-

Counsel for the Appellant

Sd/-

1. Minor Vishal

Minor Represented by his mother
and next Friend and Guardian
Mrs. Rasathi

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 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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal
(Special Subordinate Judges Court) Cuddalore.
- 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.

C.M.A.No.2731 of 2016

&
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MG (CO)
VR(15/5/2017)

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