

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 27th day of January 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.N. Ramachandran
Mrs.S. Jayakumari

C.M.A.No.2844 of 2016

(Appeal against the judgement and decree in
M.C.O.P.No.2877/2012, dated 21.06.2016 on the file of the Motor
Accidents Claims Tribunal, V Court of Small Causes, Chennai)
Royal Sundaram Alliance Insurance
Company Limited,

Legal Department,
Anna Salai, Chennai.

... Appellant/3rd Respondent

-Vs-

1.K. Madhathiyammal

2.S. Kannaiah

.. Respondents 1&2/Petitioners

3.Kalpatharu Hauliers

4.M/s. Road World Logistics Pvt. Ltd.,

Madavaram, Chennai.

... Respondents

3&4/Respondents 1 & 2

This case is not listed today. On representation of both parties, this case is taken up for settlement before the Lok Adalat. Both parties are present. Mr.N. Vijayaraghavan, learned counsel for the Appellant and Mr.N. Manoharan, learned counsel for the respondents 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.41,93,500/- with interest at 7.5% per annum from the date of petition till the date of deposit and cost. 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 settle the award to a sum of Rs.32,06,087/- (Rupees Thirty Two Lakhs Six Thousand and Eighty Seven) with 7.5% interest and cost Rs.25,000/-.

3. The appellant / Insurance Company is directed to deposit the above said award amount, within a period of eight weeks from the date of receipt of a copy of this order. Less TDS for interest amount.

4. On such deposit the petitioners are permitted to withdraw their respective share of amount and the Tribunal is directed to issue the cheques to the parties concerned on proper identification in equal share, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Award is passed accordingly. No order as to cost.

Sd/-
Royal Sundaram Alliance Insurance
Company Limited,
Legal Department,
Anna Salai, Chennai.

Sd/-
Counsel for the Appellant

Sd/-
K. Madhathiyammal

Sd/-
S. Kannaiah

Sd/-
Counsel for the Respondents

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(CS V)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal,
V 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.

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