

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Monday, the 18th day of September 2017

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE A.RAMAMURTHY (Retd.)
and

Members

Mr.K.Govindan

Mr.Kapoor chordia

C.M.A.No.425 of 2016

and

C.M.P.No.3130 of 2016

(Appeal against the award and decree dated 04.09.2015 made
in M.C.O.P.No 322 of 2012 on the file of the Motor Accidents
Claims Tribunal (Subordinate Judge, Tiruttani)).

The Manager

Oriental Insurance Company Limited,

Motor Third Party Claims Cell(HUB)

Oriental House, No.114,

Prakasam salai, Chennai - 108.

... Appellant/2nd
Respondent

Vs.

1.K.Loganathan

... 1st Respondent/Petitioner

2.T.Murugesan

... 2nd Respondent/1st Respondent

(Ex-parte before the Tribunal)

The matter is not in the list today. However, by consent of both parties, this case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.V.Murali, Assistant Manager for the Insurance Company and Mr.S.Arunkumar, the learned counsel for the appellant are present. Mr.C.Turibius Beski for Mr.G.Karthikeyan, the 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 matter is not in the list today. However, by consent of both parties, this case is taken up today for settlement. Appellant / Insurance Company has preferred the present appeal.

2. The Tribunal has awarded a sum of Rs.3,77,700 /- with interest at 7.5% per annum from the date of petition till the

date of deposit Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

3.After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.3,25,000 /- with interest at 7.5% per annum from the date of petition till the date of deposit and proportionate accrued interest.

4.Now, the appellant/Insurance company has deposited a sum of Rs.4,65,102/- out of the deposited amount the first respondent /claimant is entitled to withdraw the amount Rs.3,25,000/-with interest 7.5% per annum from the date of petition till the date of deposit and proportionate accrued interest. After satisfaction of the decree, the surplus amount shall be refunded to the appellant /Insurance Company. Award is passed accordingly.

5.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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

The Manager
Oriental Insurance Company Limited,
Motor Third Party Claims Cell(HUB)
Oriental House, No.114,
Prakasam salai, Chennai - 108.

Sd/-

Counsel for the Appellant

Sd/-

1. K.Loganathan

Sd/-

Counsel for the 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

Sd/-

Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

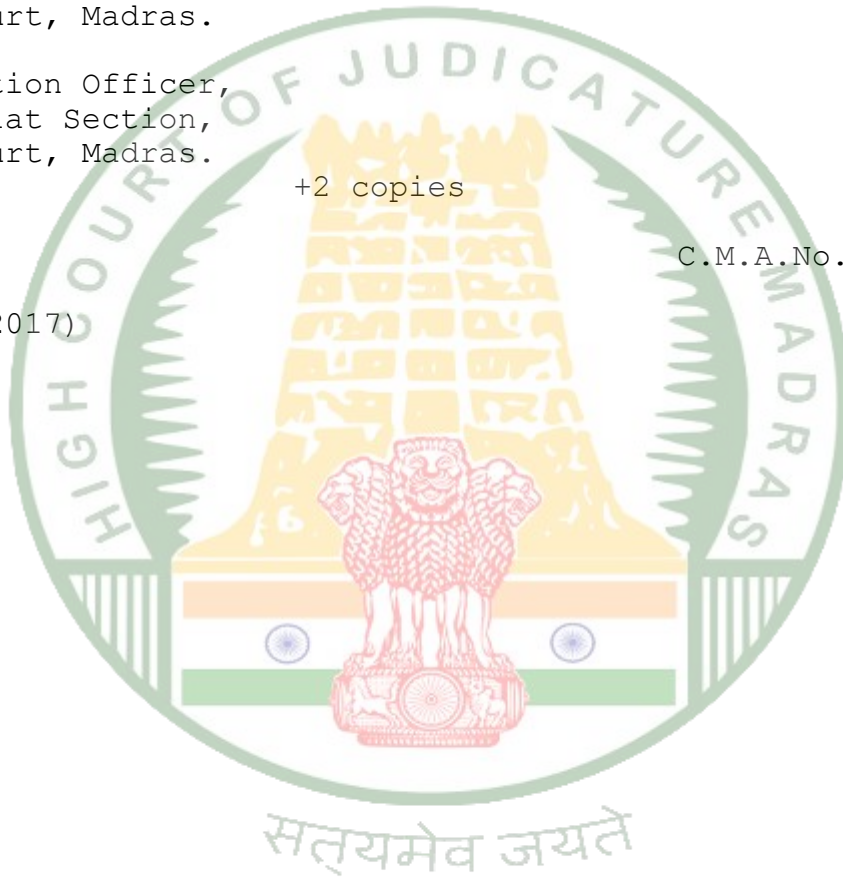
To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal,
(Subordinate Judge), Tiruttani.
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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C.M.A.No.425 of 2016

SR(CO)
CA(06/11/2017)



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