

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-II organised by the High Court Legal Services Committee
Friday, the 24th day of October, 2017

LOK ADALAT AWARD

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

Presided over by

The **Hon'ble Mr.JUSTICE MALAI SUBRAMANIAN (Retd.)**

and

Members

Mr.B.Maharajan

Mr.T.Charles

C.M.A No.2161 of 2017

(Appeal against the Judgment and decree dated 04.11.2016 made in M.C.O.P.No.730 of 2009 on the file of the Motor Accident Claims Tribunal, Chief Judge, Court of Small Causes, Chennai) at Chennai.

The National Insurance Company Limited,
Khivaraj Mansion, 2nd Floor,
No.738, Anna Salai,
Chennai-600 002.

... Appellant/2nd Respondent

Vs.

1.Maheswari

2.Reslin (Minor)

3.Anu (Minor)

4.Balamma

5.T.Nandakumar

Ex-parte before the Tribunal ... Respondents/Petitioners
the respondents 2 & 3 are minors
represented by their mother and next
friend the 1st respondent herein

This case is taken up for settlement before Lok Adalat. Both parties are present. M/s.R.Sreevidhya, learned counsel for the appellant and Mr.Ratnamani, learned counsel for respondents 1 to 4 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.17,22,000/- with interest at 7.5% per annum from the date of numbering the petition till the date of deposit.

2.It is represented by the learned counsel for the appellant that the entire award amount has already been deposited before the Tribunal. By compromise both parties agreed for a compensation of Rs.19,65,000/-(Rupees Nineteen lakh sixty five thousand only) in full quit.

3.The appellant / insurance company has already deposited the settled amount along with the interest and cost, i.e., Rs.19,65,000/-(Rupees Nineteen lakh sixty five thousand only).

4.After satisfaction of the agreed award, the balance amount shall be refunded to the appellant. The balance amount agreed award, the 4th respondent shall be entitled to receive a sum of Rs.11lakh (Rupees one lakh only) and a sum of Rs.4,00,000/-(Rupees Four lakhs only) each, shall be deposited in a Nationalised Bank in reinvestment scheme in the name of the respondents 2 and 3 till they attain majority. The balance amount of Rs.10,65,000/-(Rupees Ten lakh sixty five thousands only) shall be received by the first respondent/wife.

5.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.

Sd/-

1.Maheswari

2. Raslin (Minor)

3. Anu (Minor)

4. Balamma

5. T.Nandakumar

Ex-parte before the Tribunal

Sd/-

Counsel for the Respondent

The National Insurance Company Limited,
Khivaraj Mansion, 2nd Floor,
No.738, Anna Salai,
Chennai-600 002.

Sd/-

Counsel for the Appellant

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

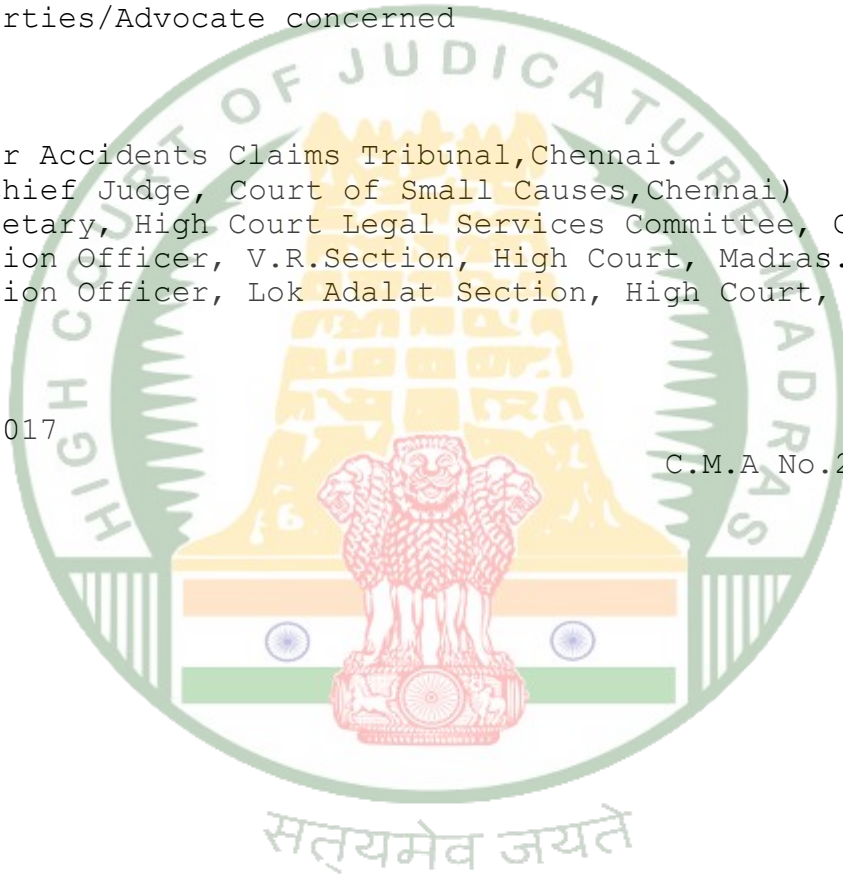
To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, Chennai.
(The Chief Judge, 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

GP (CO)
sm:30.11.2017

C.M.A No.2161 of 2017



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