

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 (Dist.Judge Rtd.,)

Mrs.V.Usharani

C.M.A.No.974 of 2016 & C.M.P.No.20773 of
2016 & C.M.P.No.7422 of 2016

(Against the award and decree passed on 3.9.2015 made in
M.C.O.P.No.417 of 2013, on the file of the Motor Accidents
Claims Tribunal, I Additional District Court,
Tiruppur.)

TATA AIG General Insurance Company Limited,
Office at SKI Retail Capital Limited,
No.344, 1st Floor, Trichy Road,
Ramanathapuram, Coimbatore. ...Appellant /3rd Respondent

Vs.

1.Mr.Karthivelsamy

2. Shanmugam

3. Karthik Prabhu

..Respondents

This case came up for settlement before the Lok Adalat.
Both parties are present. The learned counsel for the appellant
Mr.Manivannan for Mr.N.Vijayaragavan and the learned counsel for
the first respondent Mr.Ma.P.Thangavel 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.35,40,200/- (Rupees
thirty five lakhs forty thousand and two hundred only) with
interest at 7.5% per annum as compensation from the date of
application till the date of realisation. Aggrieved by the

award of the Tribunal, the appellant / Insurance Company has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.41,00,000/- (Rupees Forty one Lakhs only) in full quit as compensation.

3. The appellant/Insurance company official reported that they had already deposited Rs.6,00,000/- (Rupees Six lakhs only) before the Tribunal. Balance amount to be deposited within a period of six weeks. Out of the deposited amount, the first respondent/claimant is permitted to withdraw the modified award amount without filing any formal petition before the Tribunal. Award is passed accordingly.

4. The Tribunal is directed to make fund transfer to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently connected the Miscellaneous Petition is closed.

Sd/-

TATA AIG General Insurance Company Limited,
Office at SKI Retail Capital Limited,
No.344, 1st Floor, Trichy Road,
Ramanathapuram, Coimbatore.

Sd/-

Counsel for the Appellant

LTI

Mr. Kathirvelsamy

Sd/-

Counsel for the first Respondent

This Lok Adalat award is passed in terms of the above settlement.

WEB COPY

The Court fee paid shall be refunded to the parties 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/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The parties/Advocate concerned
Copy to

- 1.The Motor Accidents Claims Tribunal,
I Additional District Court,
Tiruppur.
- 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.974 of 2016 & C.M.P.No.20773
of 2016 & C.M.P.No.4722 of 2016

AK(CO)
RS(21/04/2017)