

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 09th day of December, 2017

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE R.SUBRAMANIAN

and

Members

Mr.N.Ramachandran
Mr.R.Prathap Kumar

C.M.A.No.1139 of 2009

(This Civil Miscellaneous Appeal is filed under Section 173 of the M.V.Act to set aside the Order in M.A.C.T.O.P.No.3063 of 2004 dated 20.10.2008 on the file of the Motor Accident Claims Tribunal, VI Small Causes Court, Chennai.)

K.Thirunavukarasu

... Appellant/Petitioner

Vs.

1.D.Nagappan
2.Tata AIG General Insurance Co., Ltd.,
No.24, Homi Mody Street, Mumbai-400 001.

..Respondents/Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr.N.M.Muthurajan, learned counsel appearing for the appellant and Mr.N.Vijayaraghavan, learned counsel appearing for the 2nd respondent.

TERMS OF SETTLEMENT

This Civil Miscellaneous Appeal is filed under Section 173 of the M.V.Act to set aside the Order in M.A.C.T.O.P.No.3063 of 2004 dated 20.10.2008 on the file of the Motor Accident Claims Tribunal, VI Small Causes Court, Chennai.

The Tribunal has awarded a sum of Rs.58,000/- with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation.

2. Aggrieved by the award of the Tribunal, the appellant had preferred the present appeal. After due deliberation and consultation, both parties have agreed for enhancement of the award amount by a sum of Rs.1,00,000/- (Rupees one lakh only) in full quit over and above the amount already awarded by the Tribunal as compensation.

3. The 3rd respondent The New India Assurance Co., Ltd., is directed to deposit the enhanced amount of Rs.1,00,000/- (Rupees one lakh only) in addition to the amount awarded by the Tribunal, if not already deposited, within a period of four weeks from the date of receipt of a copy of this order. On such deposit, the appellant/claimant is permitted to withdraw the amount. Award is passed accordingly.

4. 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.

Judge

Member

Member

K.Thirunavukarasu

Counsel for the Appellant

Tata AIG General Insurance Co., Ltd.,
No.24, Homi Mody Street, Mumbai-400 001.

Counsel for the respondent

To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal, VI Small Causes Court, Chennai.
2. Tata AIG General Insurance Co., Ltd., No.24, Homi Mody Street, Mumbai-400 001.
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R. Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

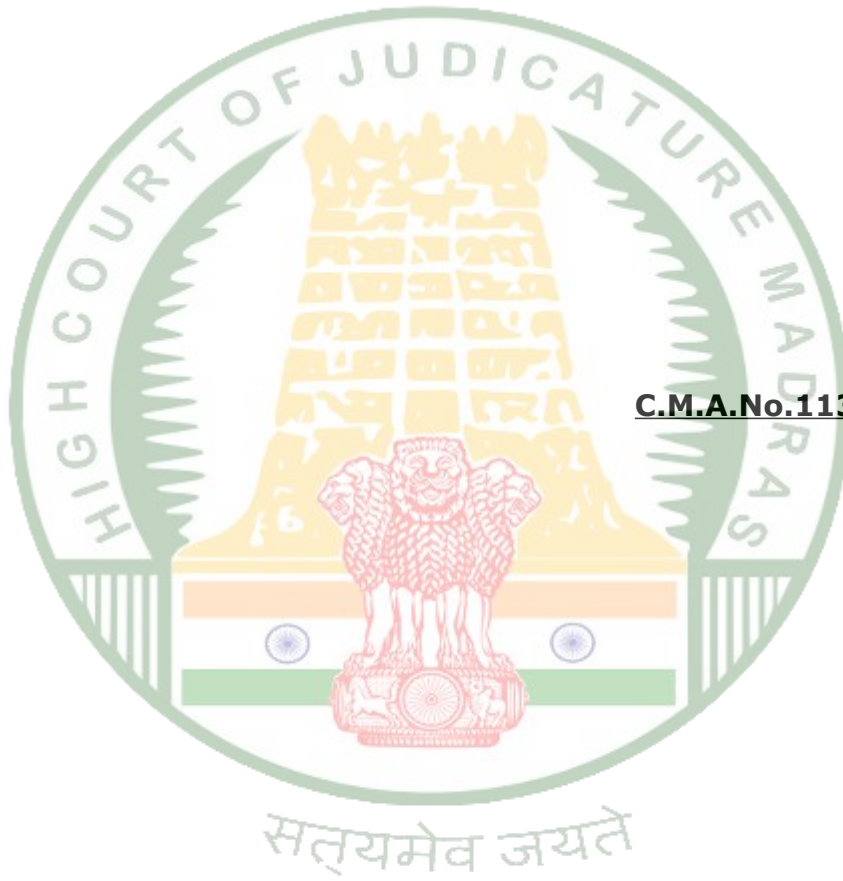
dsa/jv



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R.SUBRAMANIAN, J.

dsa/jv



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09.12.2017