

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of September, 2017
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Dr.Justice S.VIMALA
and

Members

Mr.P. Ramalingam
Mr.P.Madhan

C.M.A.No.990 of 2017

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act 1988, against the Judgement and decree, dated 06.10.2016 made in M.C.O.P.No.1592 of 2014 on the file of the Motor Accident Claims Tribunal (IV Small Causes Court), Chennai.

M.R.Jaya Prakash Narayanan

.... Appellant

Vs.

1.S.Shanram

2.TATA AIG General Insurance Co.Ltd.,

No.1, Ethiraj Salai, Egmore,
Chennai.

..... Respondents

(R1 remained ex parte before the Tribunal)

This CMA came up for settlement before the National Lok Adalat. Both the Parties are present. Mr.K.Varadha Kamaraj, learned Counsel for the Appellant and Mr.S.Arunkumar, learned counsel for the second respondent 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 claimant Jaya Prakash Narayanan filed a claim petition in M.C.O.P.No.1592 of 2014 on the file of the Motor Accident Claims Tribunal (IV Small Causes Court), Chennai, in respect of injuries sustained in an accident on 08.08.2013. The Tribunal, by Judgement dated 06.10.2016, passed an award for a sum of Rs.55,000/- along with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit. Challenging the award as inadequate, the claimant has filed the appeal.

2. Now, both the parties have agreed for an additional compensation of Rs.90,000/-, over and above of what is awarded by the claims Tribunal, i.e. Rs.55,000/- along with interest at the rate of 7.5% p.a. Hence, there shall be an award for a sum of

Rs.90,000/-, (in full quit) **over and above the amount awarded by the claims Tribunal.**

3. It is represented by the learned counsel appearing for the Insurance Company that the entire award amount has already been deposited by the Insurance Company. Hence, the Insurance Company is directed to deposit the agreed full quit sum of Rs.90,000/- within a period of four weeks from the date of receipt of a copy of this award. On such deposit being made, the claimant / appellant is entitled to withdraw the same. The Award is passed accordingly.

4. The Tribunal is directed to transfer the amount to claimant's Saving Bank Account, through RTGS, 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.

M.R. Jaya Prakash Narayanan

Counsel for the Appellant

TATA AIG General Insurance Co.Ltd.,
No.1, Ethiraj Salai, Egmore,
Chennai.

Counsel for the 2nd respondent

This Lok Adalat Award is passed in terms of the above settlement. The Court Fees 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.

Judge

Member

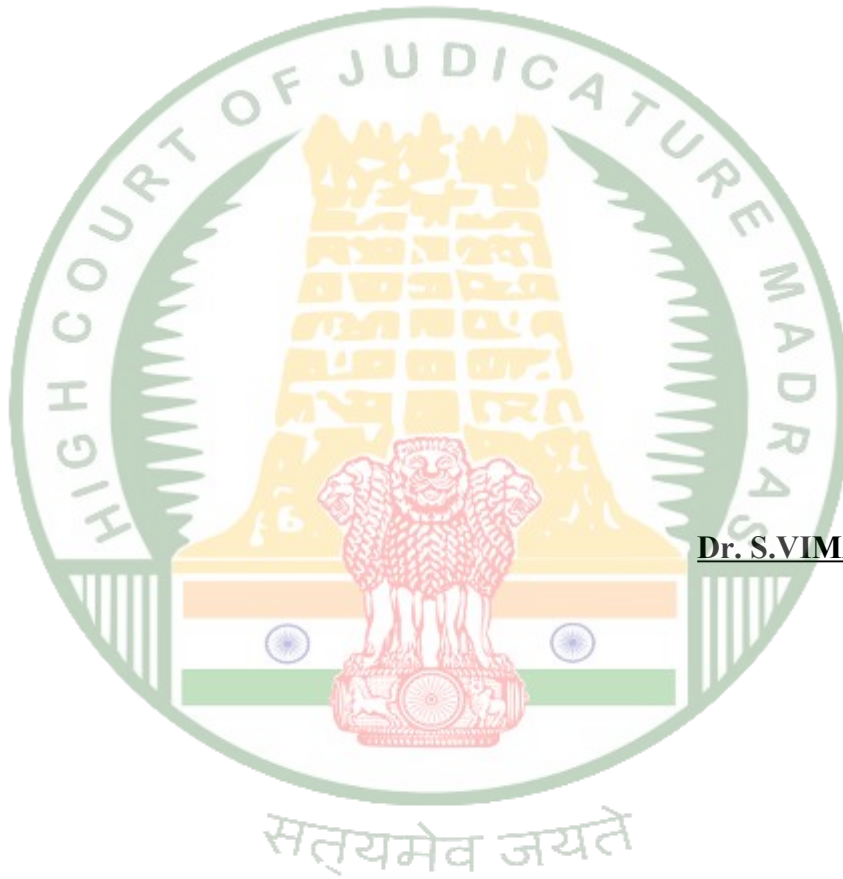
Member

To

The parties/Advocate concerned (through Lok Adalat)

Copy to:

- 1.The Motor Accident Claims Tribunal (IV Small Causes Court), Chennai.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, Lok Adalat Section, High Court, Madras.
- 4.The Section Officer, VR Section, High Court, Madras.



Dr. S.VIMALA,J.,

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09.09.2017



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