

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 8th day of December 2018

NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of the Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr. Justice S.VAIDYANATHAN
and

Members: Mr.K.Paramaraj
Dr.S.R.Sundaram

C.M.A.No.2504 of 2008

(Appeal against the award and decree passed on 30.11.2005 in M.C.O.P.No.1113 of 2004 on the file of the Motor Accidents Claims Tribunal, (II Additional Subordinate Judge), at Cuddalore.

The Tamil Nadu State Transport Corporation Ltd.,
Chennai.

.. Appellant

Vs.

Thanigaimurugan

..Respondent

Though this matter is listed today, the case has come up for settlement before the National Lok Adalat. Parties are present. **Mr.R.Annamalai, learned counsel appearing for the Appellant/Transport Corporation is 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

This is a case of injury. The Tribunal has awarded a sum of Rs.56,000/- (Rupees Fifty Six Thousand only) with interest at 7.5% as compensation to the claimant. Challenging the said Award, the Transport Corporation has preferred the present Appeal.

2. After negotiation, the award of the Tribunal is modified as follows:

(i) The parties have agreed for a sum of Rs.85,000/- (Rupees Eighty Five Thousand only) as full quit over and above the award amount granted by the Tribunal and the Respondent/Claimant has agreed to receive the said amount.

(ii) It is represented by the Appellant/Transport Corporation that they have already deposited a sum of Rs.25,000/- before the Tribunal.

(iii) The Transport Corporation is directed to deposit the modified Award amount before the Tribunal within a period of eight (8) weeks from the date of receipt of a copy of this order, after deducting the amount already deposited.

(iv) Pursuant to the deposit of the same, the Respondent/Claimant is permitted to withdraw the modified Award amount along with accrued interest.

(v) It is represented that the Cross Appeal filed by the Respondent/Claimant is in S.R. stage and that the same is not pressed.

(vi) The Trial Court shall follow the procedures contemplated in the order dated 11.03.2016 passed by a Division Bench of this Court in C.M.A.No.428 of 2016, scrupulously.

The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, the MP.No. 1 of 2008 is closed.

The Tamil Nadu State Transport Corporation Ltd.,
Chennai.

..Counsel for the Appellant

Thanigaimurugan

..Counsel for the Respondent

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

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.

Judge

Member

Member

To :

The parties/Advocate concerned

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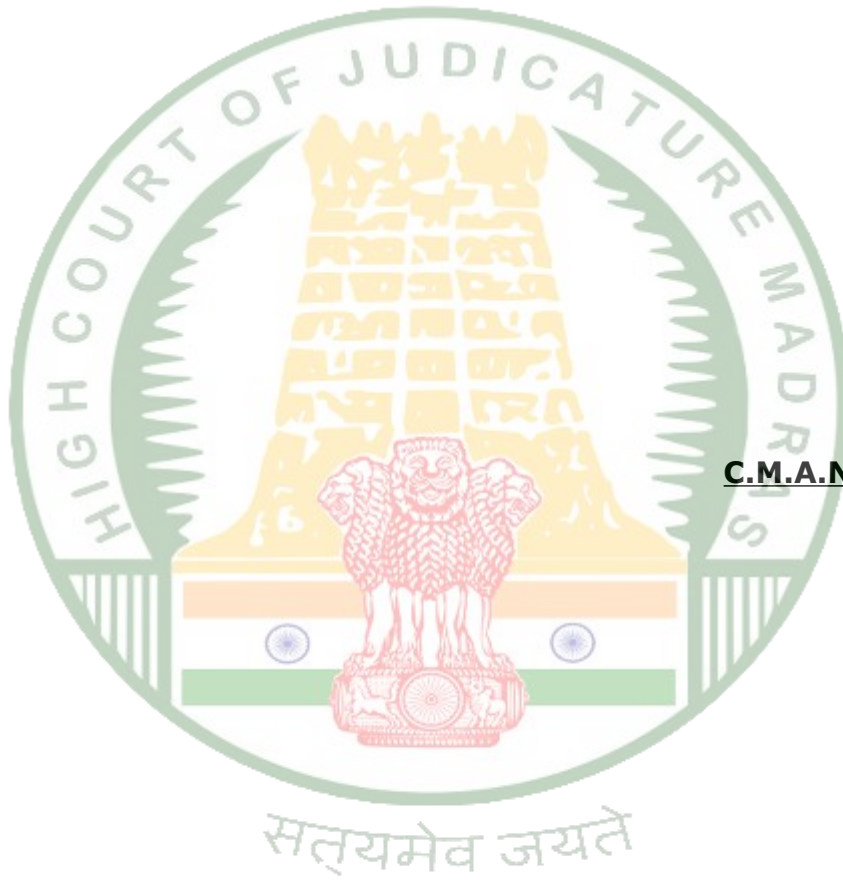
- 1.The Motor Accidents Claims Tribunal(II Additional Subordinate Judge), Cuddalore.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.

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S.VAIDYANATHAN,J.

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08.12.2018