

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Monday, the 09th day of April 2018

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)

and

Members

Mr. R.Jeyaratchagan

Mrs.S.Sujatha

C.M.A.No.1002 of 2014

(Appeal against the judgment and decree dated 10.01.2013 made in M.C.O.P.No.104 of 2012 on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Nagapattinam.

The Oriental Insurance Company Limited,
Rep. By its Branch Manager,
No.20, Abex Chambers,
2nd Floor, Thiyagaraya Road,
T.Nagar, Chennai - 17.

.. Appellant /2nd Respondent

Vs.

1. Dhinesh

2. P.Thangarajan

.. Respondent / claimant

(2nd Respondent set exparte
in Lower Court. Hence notice
may be dispensed with)

This case is taken up for settlement before the Lok Adalat. Both the parties are present . Mr.A.Jeganathan for Mr.N.Vijayaraghavan, the learned counsel for Oriental Insurance Company and the learned counsel for the 1st respondent Mr.S.Giritharan are present. Mr.S.Balakrishnan Manager, Oriental Insurance Company 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

The Tribunal has awarded a sum of Rs.5,35,120/- with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.6,00,000/- (Rupees Six Lakhs only) in full quit as compensation.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount of Rs.6,00,000/- (Rupees Six Lakhs only), after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this order.

4. On such deposit, the claimant / 1st respondent is permitted to withdraw the modified amount. Award is passed accordingly.

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. Consequently, connected Miscellaneous Petition is closed, if any.

Sd/- (S.Balakrishnan, Manager)
Oriental Insurance Company Limited,
Rep. By its Branch Manager,
No.20, Abex Chambers,
2nd Floor, Thiagaraya Road,
T.Nagar, Chennai - 17.

Sd/-
Counsel for the Appellant

Sd/-
Dinesh

Sd/-
Counsel for the respondent / claimant

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

The Court fee paid shall be refunded to the appellant 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

Copy to:

- 1.The Motor Accidents Claims Tribunal,
Chief Judicial Magistrate Court, Nagapattinam.
- 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

C.M.A.No.1002 of 2014

VGII (CO)
GN(16/05/2018)

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