

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-II organised by the High Court Legal Services
Committee

Wednesday, the 25th 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 T.N.VALLINAYAGAM (Retd.)
and

Members

Mr.P.Perumalappan, District Judge, (Retd.,)
Mr.S.Rajeswaran

C.M.A.No.1489 of 2016

&

CMP.No.11364 of 2016

&

Cross Objection No.51 of 2016

(Appeal against the award and decree passed on 31.08.2015
in M.C.O.P.1793 of 2013 on the file of the Motor Accident Claims
Tribunal, (V Small Causes Court, Chennai.)

United India Insurance Company Ltd.,
No.70, NSC Bose Road, 3rd Floor,
Sowcarpet, Chennai - 600039.

through

United India Insurance Co.Ltd.,
No.134, Silingi Buildings,
4th Floor, Greams Road,
Chennai - 600 006.

...Appellant/2nd Respondent

Vs.

1.V.Sarika

...1st Respondent/Petitioner

2.S.Yuvaraj

(2nd respondent set exparte before the Tribunal)

...2nd Respondent/1st Respondent

This case is taken up for settlement before the Lok Adalat.
Both the parties are present. The learned counsel for the
appellant, Mr.P.Sankaranarayanan & R.Rajesh and the learned
counsel for the 1st respondent, Mr.P.Chinnaraj 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

Both the parties and their respective counsel are present.

2.The Tribunal has awarded a sum of Rs.2,80,000/- with interest at 7.5% p.a. from the date of petition till the date of deposit and costs as compensation. Aggrieved against the award amount of the tribunal, the appellant/Insurance Company has preferred the present appeal.

3. Now the parties agreed to modify the award to a sum of Rs.2,10,000/- with interest at 7.5% p.a. from the date of petition till the date of deposit. The Insurance Company is directed to deposit the modified the award amount, less the amount already deposited within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, the 1st respondent is permitted to withdraw the modified award amount without filing any formal petition. Award is modified accordingly.

4.The Tribunal is directed to issue the RTGS/NEFT 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. Consequentially connected Miscellaneous petition is closed. Consequentially Cross Appeal No.51 of 2016 filed by the 1st respondent/claimant is also closed.

sd/-

United India Insurance Company Ltd.,
No.70, NSC Bose Road, 3rd Floor,
Sowcarpet, Chennai - 600039.

through

United India Insurance Co.Ltd.,
No.134, Silingi Buildings,
4th Floor, Greams Road,
Chennai - 600 006.

sd/-

Counsel for the Appellant

sd/-

V.Sarika

sd/-

Counsel for the 1st respondent

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

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and 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/-
Member

sd/-
Judge

sd/-
Member

s/d-
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

To

The parties/Advocate concerned
Copy to

- 1.The Motor Accidents Claims Tribunal, (Vth Court of Small Causes , Chennai.)
- 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.

C.M.A.No.1489 of 2016

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Cross Appeal No.51 of 2016

SP(02/04/2019)

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