

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 25<sup>th</sup> 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.1500 of 2016

&

CMP.No.11449 of 2016

&

Cross Appeal No.52 of 2016

(Appeal against the award and decree passed on 31.08.2015 in M.C.O.P.1795 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, 3<sup>rd</sup> Floor,  
Sowcarpet, Chennai - 600039.

through

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

...Appellant/2<sup>nd</sup> Respondent

Vs.

1.Pramyuth (Minor)

Rep. By his father and next friend K.Vijay)

...1<sup>st</sup> Respondent/Petitioner

2.S.Yuvaraj

(2<sup>nd</sup> respondent set exparte before the Tribunal)

...2<sup>nd</sup> Respondents/1<sup>st</sup> 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 1<sup>st</sup> 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.2,15,000/- 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.1,50,000/- 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 1<sup>st</sup> respondent is permitted to withdraw the modified award amount without filing any formal petition. Award is modified accordingly.

4. The award of the minor respondent shall be deposited in any one of the nationalised bank till he attains majority. On attaining the age of majority, he is permitted to withdraw the award amount on production of age proof certificates before the Tribunal. The guardian of the minor is permitted to withdraw the interest accrued there upon every quarter for the maintenance of the minor.

5. The Civil Miscellaneous Appeal is disposed of accordingly. Consequentially connected Miscellaneous petition is closed. Consequentially Cross Petition No.52 of 2016 filed by the 1<sup>st</sup> respondent/claimant is also closed.

Sd/-

United India Insurance Company Ltd.,  
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through

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

Sd/-

Counsel for the Appellant

Sd/-

Pramyuth (Minor)

Rep. By his father and next friend K.Vijay)

Sd/-

Counsel for the 1<sup>st</sup> 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/-  
Judge

Sd/-  
Member

Sd/-  
Member

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The parties/Advocate concerned  
Copy to

1.The Motor Accidents Claims Tribunal, (V Small Causes Court, Chennai. )

2.The Secretary,  
High Court Legal Services Committee, Chennai.

3.The Section Officer, सत्यमेव जयते  
V.R.Section, High Court, Madras.

4.The Section Officer,  
Lok Adalat Section, High Court, Madras. (2 Copies)

C.M.A.No.1500 of 2016  
&  
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