

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

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE D.KRISHNAKUMAR
and

Members

Mr.A.Manivasakam
Ms.V.J.Latha

C.M.A.No.1618 of 2011 and M.P.No.1 of 2011

(Against the award and decree passed on 27.04.2010 made in
M.C.O.P.No.2 of 2010 , on the file of the Motor Accident Claims Tribunal,
Subordinate Court, Udumalpet)

The Managing Director,
Tamil Nadu State Transport
Corporation,
Coimbatore

.. Appellant

Vs.

1. George

2. Mary Nirmala

3. Arun Pernandash

4. Minor Alvin Cleandan

(Minor represented by Guardian
Mother Mary Nirmala)

.. Respondents 1 to 4
/Petitioners

5.Arul Raj

(Given up)

.. Respondent No.5
/Respondent No.1

This case came up for settlement before the Lok Adalat. The official of the Appellant/Transport Corporation and Respondents 1 and 2 are present. In respect of Respondents 3 and 4, counsel for respondents filed a memo stating that respondents 3 and 4 did not appear before the Court today and

undertakes to appear within one week. The same is recorded. The learned counsel for the appellant Mr.K.J.Sivakumar and the learned counsel for the first respondent Mrs.K.Kala 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 Tribunal has awarded a sum of Rs.11,01,000/- with interest at 7.5% per annum as compensation. Aggrieved by the award of the Tribunal, the appellant / Transport Corporation had preferred the present appeal. The appellant / Transport Corporation official reported that they had already deposited Rs.10,29,647/- before the Tribunal.

2. After due deliberation and consultation, both the parties have agreed to modify the Award and settle the dispute before this Lok Adalat. Accordingly, the Appellant/Transport Corporation, has now, agreed to pay a sum of Rs.1,70,000/- (Rupees One Lakh Seventy Thousand only) as full quit, Accordingly, the Appellant/Transport Corporation is directed to pay a sum of Rs.1,70,000/- as full quit towards settlement of compensation in addition to the already deposited amount of Rs.10,29,647/- with accrued interest.

3. On such deposit/payment of the full quit sum of Rs.1,70,000/- by the Transport Corporation/Appellant herein, in addition to Rs.10,29,647/- already deposited by the Appellant/Transport Corporation, the respondents/claimants are permitted to withdraw the entire amount, as per the ratio of

apportionment ordered by the Tribunal, without filing any formal petition before the Tribunal. The Award is passed accordingly.

4. 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 petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently connected the Miscellaneous Petition is closed.

The Managing Director,
Tamil Nadu State Transport
Corporation ,
Coimbatore

Counsel for the Appellant

1. George

2. Mary Nirmala

3. Arun Pernandash

4. Minor Alvin Cleandan

(Minor represented by Guardian
Mother Mary Nirmala)

Counsel for the Respondents
/Claimants

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

D.KRISHNAKUMAR, J.,

nvsri

To
The parties/Advocate concerned

Copy to

- 1.The Motor Accidents Claims Tribunal, Subordinate Court, Udumalpet
- 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

nvsri



C.M.A.No.1618 of 2011

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