

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Wednesday, the 25th day of July, 2018

LOK ADALAT ORDER

(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. M.G.Jayavelu
Mr. C.S.SUndarraaj

C.M.A.No.1454 of 2017
&
C.M.A.No.498 of 2015

(Appeal against the fair and decreetal order dated 10.09.2014 passed in M.C.O.P.No.5471 of 2011, on the file of Motor Accident Claims Tribunal (II Judge Small Causes Court), Chennai.

The Managing Director,
Metropolitan Transport
Corporation Ltd.,
No.2, Pallavan Salai,
Chennai 600 002.

... Appellant in CMA No.1454 of 2017
... Respondent in CMA.No.498 of 2015

Vs.

S.Karthik Senthil ... Respondent in CMA No.1454 of 2017
... Appellant in CMA. No.498 of 2015

These cases are taken up for settlement before the Lok Adalat. Both the parties are present. Mr.S.S.Swaminathan the learned counsel for Appellant Transport Corporation, and the learned counsel for the respondent M/s.S.Gayathri for Mr.N.M.Muthurajan are present. Mr.G.Ravindran, Deputy Manager (Legal), Metropolitan 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

CMA.No.498 of 2015 is the appeal by the claimant. The CMA is not pressed by the learned counsel.

CMA.1454 of 2017 is the appeal by the Transport Corporation.

The Tribunal has awarded a sum of Rs.13,11,820/- 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 / Transport Corporation 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.16,02,472/- with accrued proportionate bank interest if any (Rupees Sixteen Lakhs Two Thousand and Four Hundred Seventy Two only) full quit.

3. The appellant / Transport Corporation has deposited a sum of Rs.17,52,472. The balance of Rs.1,50,000/- with accrued proportionate bank interest if any shall be refunded to the Transport Corporation / respondent.

4. From such deposit, the respondent / claimant is permitted to withdraw the modified award amount. Award is passed accordingly.

5. The Tribunal is directed to issue 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 the connected Miscellaneous Petition is closed.

Sd\ -
The Managing Director,
Metropolitan Transport
Corporation Ltd.,
No.2, Pallavan Salai,
Chennai 600 002.

Sd\ -
Counsel for the appellant

Sd\ -
S.Karthik Senthil

Sd\ -
Counsel for the 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 (II nd Court of Small Causes Court), 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.+2 copies

C.M.A.No.1454 of 2017
&
C.M.A.No.498 of 2015

nr 15/10/2018

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