

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 21st day of March, 2018

LOK ADALAT ORDER

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

THE HON'BLE MR.JUSTICE M.THANIKACHALAM (Retd.)

and

Members

Mr. V.Pauldas

Mr. M.Shankar

CMA.No.1506 of 2015

(Appeal against the judgment and decree passed on 24.09.2014 in M.C.O.P.No. 664 of 2011 by the Learned Judge, IV Court of Small Causes, Motor Accident Claims Tribunal at Chennai.

Metropolitan Transport Corporation Limited,
Represented by its
Managing Director,
No.2, Pallavan Salai,
Chennai 600 002.

Respondent / Appellant

Vs.

1. Minor.V.Vinoth Kumar (died)
2. G.Veeramani (Impleaded as Respondent 2 & 3)
3. Sakila (RR2 & 3 impleaded as Legal Representatives of the deceased first respondent)
...Petitioners/Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Mr.S.S.Swaminathan and Mr.G.Ravindran Deputy Manager Legal and Learned Counsel for the respondent Mr.A.A.Venkatesan and R.Janagi 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

As represented by the learned counsel for the petitioner, minor vinoth who had obtained an award, expired and as per the petition filed his parents are the only legal heirs of deceased petitioner. Thus Respondents 2 & 3 / Petitioners 2 & 3 are impleaded as the legal heirs of deceased minor petitioner / respondent.

As reported by the learned counsel for the petitioner and Deputy Manager (legal) for the Metropolitan Transport Corporation, the matter is settled between the parties and accordingly it is agreed that award may be modified for a sum of Rs.9,50,000/- in full quit of the entire claim. Which is agreed by the parties also being present. It is also represented that the entire award amount was already deposited and out of the same Rs.3,00,000/- was already withdrawn by the mother of the deceased petitioner and the balance of Rs.6,50,000/- shall be withdrawn by the respondents 2 & 3. The second petitioner is entitled to withdraw of Rs.2,50,000/- and the remaining amount Rs.4,00,000/- shall be withdrawn by the third respondent / third petitioner. The remaining balance with interest if any accrued shall be withdrawn by the Metropolitan Transport Corporation, who is the appellant / respondent, CMA disposed accordingly.

The Tribunal is directed to issue the cheque to the parties concerned as said above. 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/-

Metropolitan Transport
Corporation Limited,
Represented by its
Managing Director,
No.2, Pallavan Salai,
Chennai 600 002.

sd/-

Counsel for the Appellant

sd/-

1. Veeramani
2. Sakila

Minor.V.Vinoth Kumar (Died)

(Represented by his Father &
Next Friend G.Veeramani)

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

s/d-
Assistant Registrar

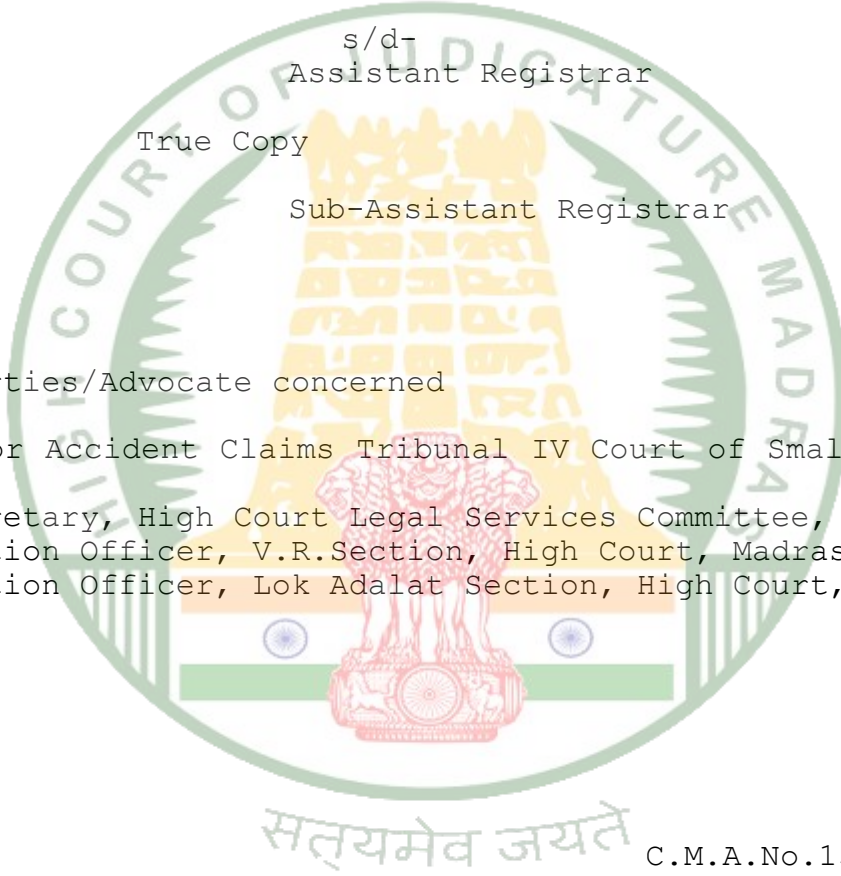
True Copy

Sub-Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal IV Court of Small Causes at 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.1506 of 2015

SP(17/04/2018)

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