

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

Thursday, the 26th day of July 2018

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)

and

Members

Mr.M.Mohamed Ismail

Mr.S.Rajeswaran

C.M.A.No.1510 of 2015

(Appeal against the judgment and decree dated 27.01.2011
made in M.C.O.P.No.185 of 2007 on the file of the Motor
Accidents Claims Tribunal, Sub Court, Namakkal)

Thangarasu

.. Appellant/Petitioner

Vs.

1. S.M.Thangavel (ex-parte before the Tribunal)

2. New India Insurance Company Limited,

No.29, Ram Complex,

Paramathi Road,

Namakkal Town.

.. Respondents /Respondents

This case came up for settlement before the Lok Adalat.
Both parties are present. The learned counsel for the appellant
Mr.A.Sathish Kumar for Mr.C.Thangaraju and the learned counsel
for the 2nd respondent Mr.K.Thirunavukarasu are present. No
appearance for the first respondent. 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.1,93,900/- with
interest at 7.5% per annum from the date of petition till the
date of deposit. It is represented by the learned counsel for
the appellant/claimant that the award amount has already been
deposited before the Tribunal and the same has been withdrawn by
the appellant / claimant.

2. Not satisfied with the award of the Tribunal, the
appellant / claimant has preferred the present appeal for
enhancement. Now, both the parties have agreed to a sum of
Rs.3,25,000/- (Rupees Three Lakhs Twenty Five Thousand only) in

full quit (inclusive of interest) over and above the award of the Tribunal.

3. The second respondent / Insurance Company is directed to deposit the enhanced award amount of Rs.3,25,000/- within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the appellant / claimant is entitled to withdraw the enhanced award amount without filing any formal petition. The Award is passed accordingly.

5. 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 permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-
Thangarasu

Sd/-
Counsel for the Appellant

Sd/-
New India Insurance Company Limited,
No.29, Ram Complex,
Paramathi Road,
Namakkal Town.

Sd/-
Counsel for the 2nd Respondent

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

The Court fee paid shall be refunded to the appellant 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.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Copy to:

1.The Motor Accidents Claims Tribunal,
Sub Court, Namakkal.

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

3.The Section Officer,
V.R.Section, High Court,
Madras.(2 Copies)

4.The Section Officer,
Lok Adalat Section, High Court,
Madras.+2 copies

+1cc to Mr. C.Thangaraju, Advocate, S.R.No. 51229

C.M.A.No.1510 of 2015

RSI (CO)
GN(12/09/2018)



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