

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

Wednesday, the 07th day of March, 2018

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE M.VIJAYARAGHAVAN (Retd.)
and

Members

Mr.P.Ganesan
Mr.P.Vijayalakshmi

C.M.A.No.1929 of 2015

(Appeal against the judgment and decree dated 19.08.2014
made in M.C.O.P.No.1451 of 2013 on the file of the Motor
Accidents Claims Tribunal, Learned III Judge, Small Causes
Court Chennai.

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

.. Appellant/Respondent

Vs.

1. Munusamy
 2. Minor.Bhuvaneshwari
 3. Minor.Vennila
- Minors Represented by their
guardian Father 1st Respondent

4. Nagarathinam

.. Respondents/Petitioners

This case came up for settlement before the Lok Adalat.
Both parties are present. Mr.S.S.Swaminathan learned counsel
for the appellant and Mr.K.V.Muthu Visakan and Mr.S.Thambi
learned counsels for the respondents 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 on 19.08.2014 has awarded Rs.9,91,800/-
(Rupees Nine Lakhs Ninety One Thousand Eight Hundred only)
with 7.5% interest and costs. As against this order appeal
was preferred and pending the appeal in M.P.1 of 2015 dated
01.09.2015 the Hon'ble High Court, passed order to deposit a
sum of Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only)

with interest and cost. The appellant has deposited the sum of Rs.8,89,809/- (Rupees Eight Lakhs Eighty Nine Thousand Eight Hundred Nine only) on 23.11.2016 before the Tribunal.

The parties have consented to settle the award amount for a sum of Rs.11,50,000/- (Rupees Eleven Lakhs Fifty Thousand only) in full satisfaction of the award and the appellant also agreed to pay the balance amount of Rs.2,60,191/- (Rupees Two Lakhs Sixty Thousand One Hundred Ninety One only) within a period of eight weeks time from the date of receipt of a copy of this order. Endorsement made to this effect and a memo also filed for apportionment and the same are recorded. Out of the amount agreed upon for the full satisfaction of the award i.e. Rs.11,50,000/- (Rupees Eleven Lakhs Fifty Thousand only) the first respondent is allotted a sum of Rs.4,50,000/- (Rupees Four Lakhs Fifty Thousand only) and the second and third respondents, who are minors are allotted a sum of Rs. 3,00,000/- (Rupees Three Lakhs only) each and the minors are entitle to withdraw the amount after attaining majority and till then the amount shall be deposited in any one of the Nationalised Bank. The 4th respondent is allotted a sum of Rs. 1,00,000/- (Rupees One Lakh only).

Further more the amount of Rs.8,89,809/- (Rupees Eight Lakhs Eighty Nine Thousand Eight Hundred Nine only) which was deposited by the appellant with Tribunal and subsequently invested by the Tribunal in the bank shall carry the interest and thereby the interest accrued upon only shall be paid to the first respondent and accordingly this appeal is disposed of.

The Tribunal is directed to issue the cheque to the parties 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 off accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

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

Sd/-
Counsel for the Appellant

Sd/-
1. Munusamy

Sd/-
2. Minor.Bhuvaneswari

Sd/-
3. Minor.Vennila
Minors Represented by their
guardian Father 1st Respondent

Sd/-
4. Nagarathinam

Sd/-
Counsel for the Respondents

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

HIGH COURT OF MADRAS

सत्यमेव जयते

To:The parties/Advocate concerned

Copy to:

1. The III Judge
The Motor Accidents Claims Tribunal,
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.

KK(CO)
sm:26.3.2018

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