

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of March 2019

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

Presided over by

The Hon'ble Mr. Justice S. VAIDYANATHAN
and

Members: Mrs.S.Jayakumari
Mr.P.Rosaiah

C.M.A.No.3749 of 2013

Appeal against the award and decree passed on 30.10.2012 in M.C.O.P.No.300 of 2008 on the file of the Motor Accidents Claims Tribunal, Additional District Judge, Ariyalur.

Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Rep. By its Managing Director,
Trichy Region, Periya Melaguparai,
Trichy - 1.

Vs.

.. Appellant

1.Kumar
2.Arjunan
3.Selvarani
4.Ravi
5.M/s.Rliance General Insurance
Company Limited,
Rep. By its Manager,
Reliance House, Nungambakkam
Chennai 600 034.

...Respondents/Claimants

...Respondents

Though this case is not listed today, this case came up for settlement before the National Lok Adalat. Mr.Venkatachalam, **learned counsel for the Appellant is present. Mr.C.Jagadish, learned counsel for the Respondents/claimants 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 total sum of Rs.4,80,128/- to be payable by the appellant and the 5th respondent/Insurance company at the ratio of 50:50, along with interest at the rate of 7.5% per annum as compensation to the claimants. Challenging the 50% of the award amount, the Transport Corporation has preferred the above appeal.

2. After negotiation, the award of the Tribunal is modified as follows:

(i) **The parties have agreed for a sum of Rs.3,70,345/- (Rupees Three Lakhs Seventy Thousand and Three Hundred and Forty Five only)** as full quit and the Respondents/claimants have agreed to receive the said amount.

(ii) A sum of Rs.3,35,345/- has already been deposited by the Appellant/Transport Corporation towards compensation and the balance amount of Rs.35,000/- shall be deposited within a period of eight weeks from the date of receipt of a copy of this order.

(iii) Respondents/Claimants are entitled to withdraw the award amount of Rs.3,70,345/- (as full quit) after adjusting the amount, if any, already withdrawn.

(iv) Respondents/Claimants are entitled to withdraw the above said Award amount (as full quit), as per the ratio apportioned by the Tribunal.

(v) If the Transport Corporation has not deposited the entire award amount, it is directed to deposit the modified amount of award within a period of eight (8) weeks from the date of receipt of a copy of this order, after deducting the amount already deposited.

(vi) The Trial Court shall follow the procedures contemplated in the order dated 11.03.2016 passed by a Division Bench of this Court in C.M.A.No.428 of 2016, scrupulously.

The Civil Miscellaneous Appeal is disposed of accordingly.

Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Rep. By its Managing Director,
Trichy Region, Periya Melaguparai,
Trichy – 1.

.. Counsel for the Appellant

1.Kumar

2.Arjunan

3.Selvarani

4.Ravi

5.M/s.Reliance General Insurance
Company Limited,
Rep. By its Manager,
Reliance House, Nungambakkam
Chennai 600 034.

... 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 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.

Member

Judge

Member

To :

The parties/Advocate concerned

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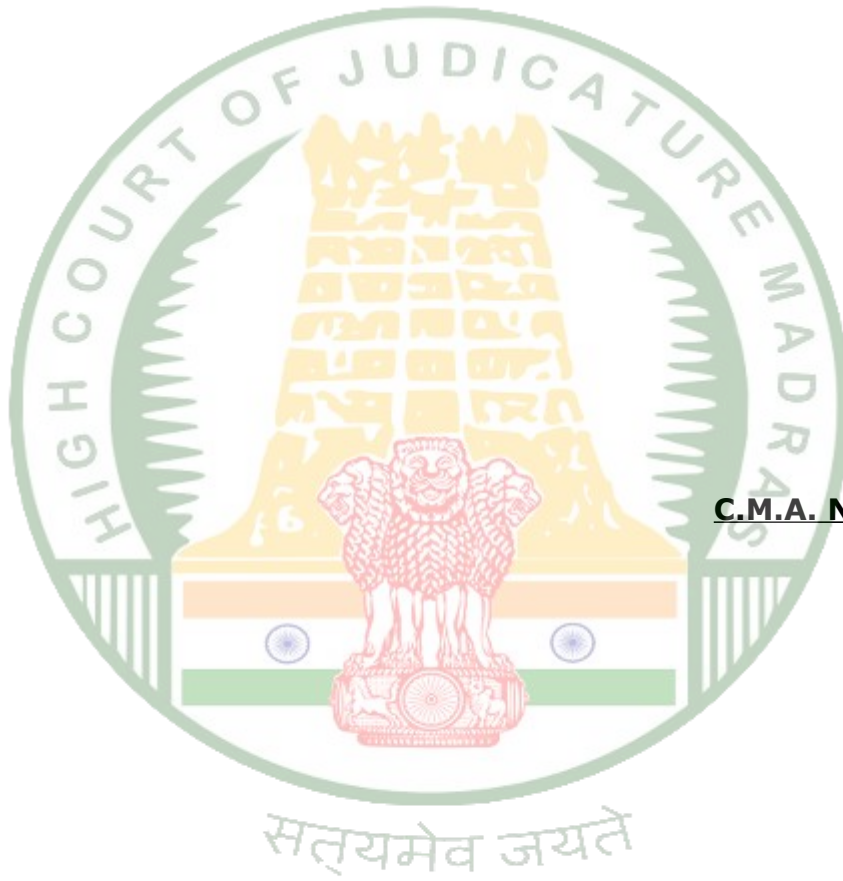
- 1.The Additional District Judge, Motor Accidents Claims Tribunal, Ariyalur.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.

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S.VAIDYANATHAN,J.

rna/ar



C.M.A. No.3749 of 2013

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09.03.2019