HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Thursday, the 12th day of April 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.K.KRISHNAN (Retd.)
and
Members
Mr. J.D.Rukmangathen
Mrs.R.Vijayakamala

C.M.A.No.277 of 2015

(Appeal against the judgment and decree dated 29.04.2014 made in M.C.O.P.No.354 of 2012 on the file of the Motor Accidents Claims Tribunal, (Subordinate Judge's), Tiruttani, Tiruvallur District.

The Managing Director
Tamilnadu State Transport
Corporation Ltd.,
(Villupuram Division - III)
Kancheepuram .. Respondent/Appellant

Vs.

1. Smt.Sarala
2. Minor.Sunil
(Rep. by his next friend
Guardian mother Smt.Sarala)
3. Smt.Shankari
4. Minor.Babuji
(Rep. by his next friend Guardian
mother Smt.Shankari) .. Petitioners/Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.K.J.Sivakumar, the learned counsel for Tamilnadu State Transport Corporation and the learned counsel for the respondent Mr.C.J.Srinivasan are present. Mrs.K.Swarnalatha, Deputy Manager (H.R.D), Tamilnadu State 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:

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TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.76,20,000/- 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.87,00,000/- (Rupees Eighty Seven Lakhs only) in full quit as compensation.

3. The appellant / Transport Corporation is directed to deposit the above said modified award amount of Rs.87,00,000/- (Rupees Eighty Seven Lakhs only), after deducting the amount already deposited if any, within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the first and third respondents are entitled to withdraw a sum of Rs.30,00,000/- each. The respondents two and four / claimants are minors and their share of Rs.13,50,000/- each has to be invested in any one of the nationalized bank till they attain majority. 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. Consequently, connected Miscellaneous Petition is closed, if any.

Sd/-
The Managing Director
Tamilnadu State Transport
Corporation Ltd.,
(Villupuram Division – III)
Kancheepuram
(K.Swarna Latha)

Sd/-
Counsel for the appellant

Sd/-
1. Smt.Sarala

Sd/-
2. Minor.Sunil
Represented by his next friend
Guardian mother Smt.Sarala)

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Sd/-
3. Smt.Shankari

Sd/-
4. Minor.Babuji
(Rep. by his next friend Guardian mother Smt.Shankari)

Sd/-
Counsel for the 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(cs IX)

//True Copy//

Sub Assistant Registrar

To:The parties/Advocate concerned

Copy to:

1.The Motor Accidents Claims Tribunal, (Subordinate Judge's), Tiruttani, Tiruvallur District.
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

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VGI(CO)
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