

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

Saturday, the 14th July 2018

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Honourable Mr. JUSTICE SUBRAMONIUM PRASAD
and

Members:

Mr.N.Sivathanu
Mr.T.V.Suresh

C.M.A.No.1856 of 2017

(Appeal against the Judgment and decree passed on
19.01.2017 in M.C.O.P.No.150 of 2015 on the file of the **Motor
Accidents Claims Tribunal (Additional Sub Court),
Mayiladuthurai.**

Branch Manager,
United India Insurance Company Limited,
No.2, Road Taj Tower,
Mayiladuthurai Town & Taluk

.. Appellant

/vs/

1. Thiyagarajan
2. Alamelumangai
3. Minor Vanaja
(Minor represented by father

and natural guardian Thiagarajan)

4. The Proprietor,
Vairam Multi City Hospital,
at Pattamangala Street,
Mayiladuthurai Town and Taluk

..Respondents

This case is taken up for settlement before the National Lok Adalat. The appellant as well as the second respondent is present. Mr.S.Baskaran, learned counsel for the appellant/Insurance Company is 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 sum of Rs.14,61,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit and costs as compensation. Challenging the said award, the appellant/Insurance Company has preferred the present appeal.

2. The appellant as well as the second respondent, who is the mother of the deceased are present today. The second respondent has made a statement before this forum that her husband who is the first respondent is not well and not in a position to be present today. After due deliberation and consultation, both the parties have agreed to the modify the award amount at Rs.9,00,000/- (Rupees Nine Lakhs only) @ 7.5% per annum from the date of petition till the date of deposit

and the same is awarded.

3.The Appellant/ Insurance Company is directed to deposit the modified award amount of Rs.9,00,000/- (Rupees Nine Lakhs only) along with interest @ 7.5% per annum from the date of petition till the date of deposit, within a period of four weeks from the date of receipt of a copy of this order, if not deposited already. On such deposit, the second respondent, who is entitled for the compensation is permitted to withdraw the entire award amount without filing any formal petition. The Award is passed accordingly.

4. The Tribunal is directed to issue the cheques to the party 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.

Branch Manager,
United India Insurance Company Limited,
No.2, Road Taj Tower,
Mayiladuthurai Town & Taluk

Counsel for the appellant

Alamelumangai

Counsel for the second
respondent

SUBRAMONIUM PRASAD, J.

arr/gsk

This National 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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

1. Motor Accidents Claims Tribunal (Additional Sub Court), Mayiladuthurai.
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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14.07.2018



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