

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

Wednesday, the 28th 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 MALAI.SUBRAMANIAN (Retd.)
and

Members

Mr. Mohammed Ismail
Mr. V.Kumaravelan

C.M.A.No. 264 of 2018

(Appeal against the judgment and decree passed on 05.02.2016
in M.C.O.P.No.1203 of 2008 on the file of the Motor Accidents
Claims Tribunal, The Special Subordinate Judge, Cuddalore.

The Managing Director,
Tamil Nadu State Express
Transport Corporation Limited,
Pallavan Salai, Chennai - 600 002 ...Appellant/Respondent

Vs.

1. R. Thilagavathy
 2. R. Manikandan
 3. Minor R. Raja Mohan
 4. Minor R. Rajkumar
 5. Minor R. Nanthini
 6. Minor R. Silambarasan
 7. Dhanddapani (Died)
- vide Lok Adalat order dated 28/03/2018
in CMA.No.264/2018
8. D.Kalyani

..Respondents/Petitioners

[Minors all are represented by
their mother Thilagavathy,
The 1st petitioner as guardian]

This case is taken up for settlement before the Lok
Adalat. Both the parties are present. Mr.K.J. Sivakumar, the
learned counsel for Transport Corporation and the learned
counsel for the respondent Mr.U.Swathi for Mrs.Ramya V Rao 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 sum of Rs.11,78,000/- 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. Pending appeal, the 7th claimant Dhandapani expired. He did not have any other legal heirs except the claimants / respondents.

3. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.17,00,000/- (Rupees Seventeen Lakhs only) in full quit (inclusive of interest) as compensation.

4. The appellant / Transport Corporation is directed to deposit the above said modified award amount of Rs.17,00,000/- (Rupees Seventeen Lakhs only), after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this order.

5. On such deposit, the first claimant / respondent is entitled to receive a sum of Rs.5,00,000/-, and the balance shall be divided equally amongst claimants / respondents 2 to 6 and 8. In so far as shares of minor claimants / respondents 3 to 6 are concerned their share shall be deposited in a one of the Nationalised Bank in reinvestment scheme till they attain majority. The award is passed accordingly.

6. 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 of accordingly.

-s/d-

The Managing Director,
State Express Transport Corporation Limited,
Anna Salai, Chennai - 600 002

-s/d-

Counsel for the appellant

1. R.Thilagavathy (LTI of R.Thilagavathy)

-s/d-

2. R. Manikandan

3. Minor R. Rajamohan

4. Minor R. Rajkumar

5. Minor R. Nandhini

6. Minor R. Silambarasan (LTI of R.Thilagavathy)

7. D. Kalyani (LTI of D.Kalyani

-s/d-
Counsel for the respondent

This 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.

-s/d
Judge

-s/d-
Member

-s/d-
Member

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal
Special Sub Court, Cuddalore.
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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