

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 10th day of February, 2018

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

Presided over by
The Hon'ble Mrs.JUSTICE R.HEMALATHA
and

Members:

Ms.V.Ahalya, District Judge,(Retd.,)
Mrs.S.Sujatha

C.M.A.No.653 of 2016

(Appeal against the award and decree passed on 25.02.2014 in M.C.O.P.No.374 of 2012 on the file of the Motor Accidents Claims Tribunal, The Subordinate Judge, Tirupur.

The Branch Manager,
Royal Sundaram Alliance Insurance Co Ltd.,
4A, 4th Floor, Thirumallai Towers,
723, Avinasi Road, Coimbatore. ... Appellant

Vs.

1. Rajammal
2. Banumathi
3. Nanthakumar
4. Geetha
5. M/s.Vetti Engineers, 348 Lakshmi Nagar,
Thanneer Bandai, Beelamedu,
Coimbatore.

(5th respondent setexparte before Tribunal) ... Respondents

Though this case is not listed today, this case is taken up for settlement before the National Lok Adalat. Both parties are present. The learned counsel for the appellant Mr.M.Krishnamoorthy, and the learned counsel for the respondents Mr.MA.PA.Thangavel 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.9,00,000/- with interest at 7.5% per annum from the date of petition till the date of deposit.

2. Being aggrieved by the same, the Insurance Company has preferred the present appeal. Now, both the parties have agreed for a settlement. The claimants have agreed to receive a sum of Rs.10,15,102/- in full quit towards full and final settlement.

3. It is represented that a sum of Rs.11,81,404/- has already been deposited by the Insurance Company.

4. Hence, the balance sum of Rs.1,66,302/- shall be refunded to the Insurance Company and the claimants are permitted to withdraw the settled amount.

5. On such deposit, the claimants / respondents 1 to 4 are entitled to withdraw their shares as per the following apportionment:

First respondent	-	Rs.6,25,102/-
Second respondent	-	Rs.1,30,000/-
Third Respondent	-	Rs.1,30,000/-
Fourth Respondent	-	Rs.1,30,000/-

6. The Tribunal is directed to transfer the amount to the parties concerned to their account in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

The Branch Manager,
 Royal Sundaram Alliance Insurance Co. Ltd.,
 4th Floor, Thirumalai Towers,
 723 Avinashi Road,
 Coimbatore.

Counsel for the Appellant

1. Rajammal

2. Banumathi

3. Nandha Kumar

4. Geetha

Counsel for the respondents

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

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Judge

Member

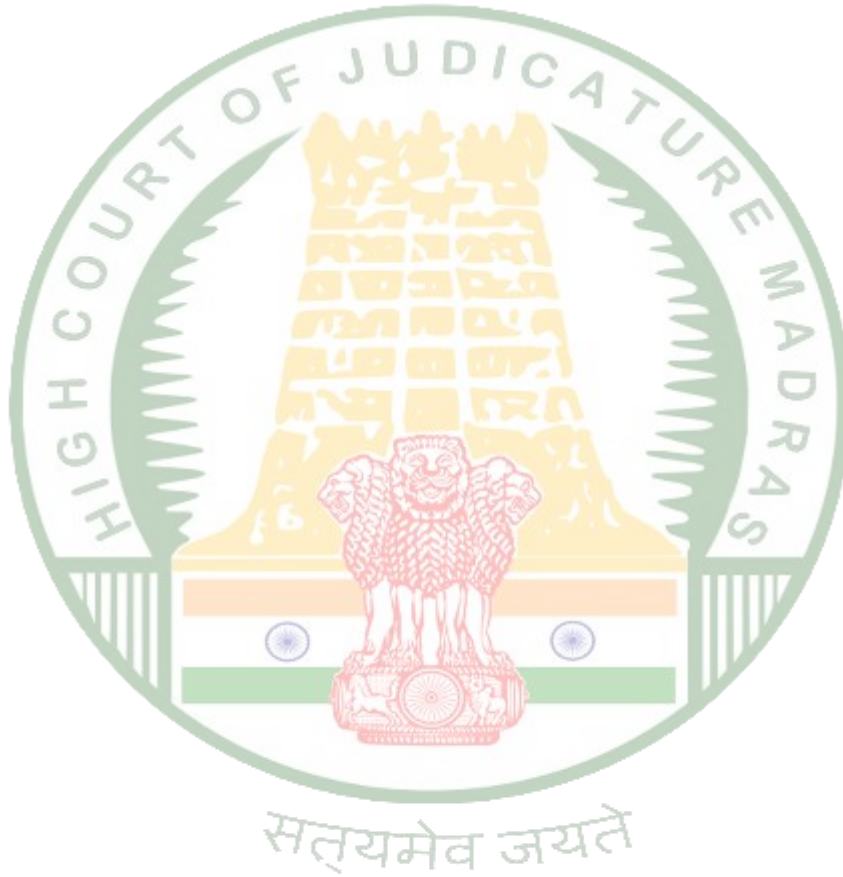
Member

To

The parties/Advocate concerned

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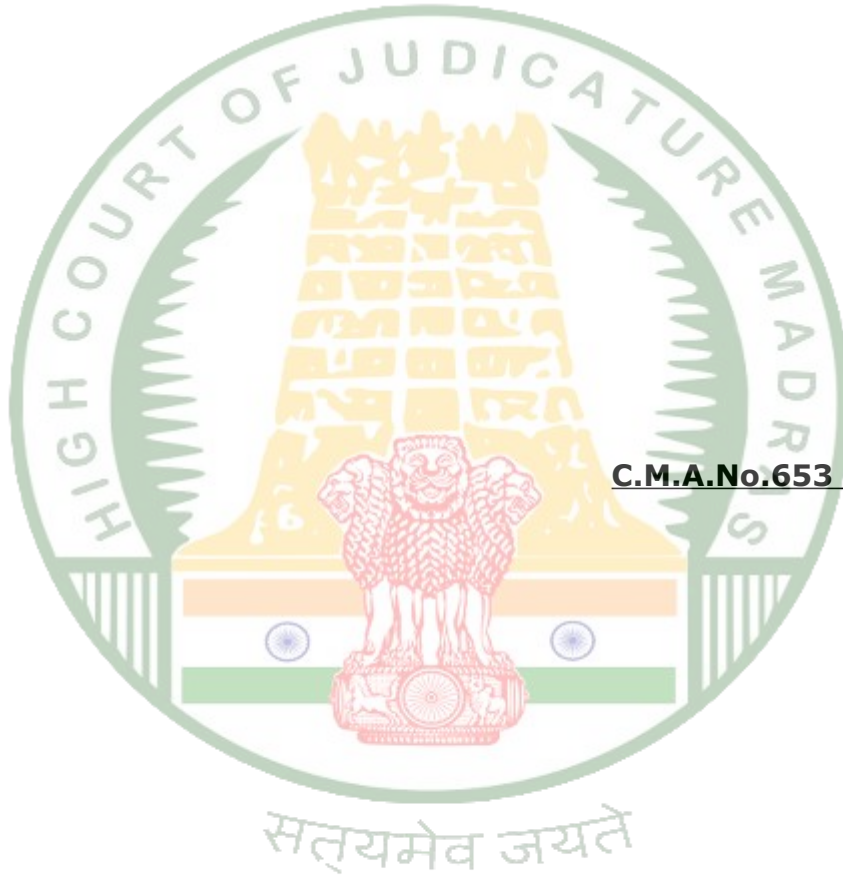
- 1.The Motor Accident Claims Tribunal the Subordinate Judge, Tirupur.
 - 2.The Secretary, High Court Legal Services Committee, Chennai.
 - 3.The Section Officer, V.R.Section, High Court, Madras.
 - 4.The Section Officer, Lok Adalat Section, High Court, Madras.
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R.HEMALATHA,J.

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10.02.2018