

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 8th September, 2018

NATIONAL LOK ADALAT AWARD

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

Presided over by:-

The Hon'ble Mr.JUSTICE M.S.RAMESH

Members:-

(1) Mr. N.Sambasivam, District Judge (Retd.)

(2) Mrs.R.Rathna Thara

C.M.A.No. 2372 of 2017

(Appeal against the Judgment and decree dated 30.10.2006 made in MCOP.No.113 of 2004 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate No.I, Dharmapuri District at Krishnagiri).

1. Saraswathi

2. Loganathan

...Appellants

Vs.

1. The Correspondent

Sri Sathya Sai Metric School,
Kundarapalli Village,
Ramapuram Post,
Krishnagiri Taluk,
Dharmapuri District.

2. The Branch Manager,

National Insurance Company Ltd.,
Branch Office, Anuradha Complex,
Third Floor, Bangalore Road,
Krishnagiri -1.

..Respondents

Though the case is not listed today, it is taken up for settlement at the instance of both the parties. The learned counsel for the appellants, Mr.V.Kumaravelan is present. The learned counsel for the second respondent Insurance Company Mrs.N.B.Surekha 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

Both the parties and their respective counsels are present.

2.The Tribunal has awarded a sum of Rs. 1,58,200/- with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

3.Aggrieved by the award of the tribunal, the Appellants/claimants have preferred the present appeal.

4.It is submitted by the Insurance Company that the entire award amount has been deposited by the Insurance Company. Now both the parties are agreed to settle the matter and as per the settlement, over and above the award amount, a sum of Rs.1,40,000/- (Rupees one Lakh fourth Thousand Only) shall be deposited by the Insurance company with interest and cost. The Insurance Company is directed to deposit the enhanced award amount within a period of six weeks from the date of receipt of a copy of this order.

5. On such deposit the appellants are entitled to withdraw a enhanced award amount equally between them. Award is passed accordingly.

6. The Tribunal is directed to disburse the award amount to the claimants' Savings Bank Account, through RTGS/NEFT, on proper identification of the account of the claimants in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is

disposed of accordingly. Consequently, the connected miscellaneous petition, if any, is closed.

1. Sarashwathi

2. Loganathan

Counsel for Appellants

National Insurance Company Ltd.,
Branch Office, Anuradha Complex,
Third Floor, Bangalore Road,
Krishnagiri -1.

Counsel for 2nd Respondent

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.

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Judge

Member

Member

M.S.RAMESH

rts

To
The parties/Counsel concerned

Copy to

- 1.The Motor Accident Claims Tribunal, Chief Judicial Magistrate No.I,
Dharmapuri District at Krishnagiri
- 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.

C.M.A.No.2372 of 2017

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08.09.2018