

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Monday, the 12th day of February 2018

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE A.RAMAMURTHI (Retd.)
and

Members

Mr. P.Duraishanmugam
Mrs.R.Vijaya Kamala

C.M.A.No.2375 of 2017

&

C.M.A.No.2758 of 2017

Prayer in both CMA: (Appeals against the judgment and decree passed on 02.01.2017 made in M.C.O.P.No.29 of 2015 on the file of the Motor Accidents Claims Tribunal cum (III Additional District Judge), Tiruvallur at Poonamallee.

Bharati AXA General Insurance Co.,
2nd Floor, Metro Plaza,
No.162, Anna Salai,
Chennai - 600 002.

.. Appellant in CMA.2758/2017
2nd respondent in CMA.2375/2017

Vs.

1.Mrs.L.Christina

..1st Respondent in CMA.No.2758/2017
Appellant in CMA.No.2375/2017

2.M.Elangovan

..2nd Respondent in CMA.No.2758/2017
1st respondent in CMA.No.2375/2017

This case came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the Insurance Company Mr.Srinivasa Ramalingam and Mr.M.Sivakumar learned counsel for the claimant 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

Both parties represented. CMA.No.2375 of 2017 is filed by the claimant for enhancement of the compensation amount. CMA.2758 of 2017 has been filed by the Insurance Company aggrieved against the award of Rs.19,25,000/- with interest. Now both parties agreed to settle the amount at Rs.18,25,000/- in full quit (inclusive of interest). The Insurance company had already deposited the entire award amount with interest. Now the claimant is entitled to withdraw Rs.18,25,000/- in full quit (inclusive of interest) and the surplus amount shall be refunded to Insurance Company. Award is passed accordingly in CMA.No.2758 of 2017. Consequently, CMA.No.2375 of 2017 is closed.

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.

Bharati AXA General Insurance Co.,
2nd Floor, Metro Plaza,
No.162, Anna Salai,
Chennai - 600 002.

Counsel for Insurance Company

Mrs.L.Christina

Counsel for claimant.

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.

सत्यमेव जयते

Judge

Member

Member

Sd/-

Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

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To: The parties/Advocate concerned

1. The Motor Accidents Claims Tribunal, cum (III Additional District Court), Tiruvallur at Poonamallee.

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

C.M.A.No.2375 of 2017 & C.M.A.No.2758 of 2017

PA(CO)

RRK(13/03/2018)



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