

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Friday, the 10th day of August, 2018

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM (Retd.)
and

Members

1.Mr.R.Kanagasababathi

2.Mr.S.Sampath

C.M.A.No.465 of 2018 and CMP No.4213 of 2018

Appeal against the judgment and decree passed on
20.09.2017 made in M.C.O.P. No.6251 of 2014 on the file of
the Motor Accidents Claims Tribunal(V Court of Small Causes,
Chennai.

M/s.TATA AIG General Insurance Company Limited,
No.1, Commander-in-Chief Road,
Egmore, Chennai - 600 008. ... Appellant/2nd Respondent

Vs.

1.Nagaraj

2.Nagaarjun (Minor)

(Minor Rept. By father & NF

1st Respondent) ... Respondents 1&2/Petitioners

3.Krishnamoorthy

(Ex-parte before the Tribunal) ...3rd Respondent/1st Respondent

This case came up for settlement before the Lok Adalat.
Learned counsel for the appellant Mr.A.Jeganathan for
M/s.M.B.Gopalan Associates and the Learned Counsel for the
Respondents Mr.S.Ravikumar 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.17,44,,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 / Insurance Company had
preferred the present appeal.

2.After due deliberation and consultation, both the
parties have agreed to modify the award to a sum of Rs.
20,50,000/- (Rupees Twenty Lakhs, Fifty Thousand Only) in full
quit as compensation.

3.The appellant / Insurance Company is directed to deposit the above said modified award amount of Rs.20,50,000/- (Rupees Twenty Lakhs, Fifty Thousand 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.

4.On such deposit the 1st respondent / 1st Claimant shall be given Rs.7,50,000/- (Rupees Seven Lakh, Fifty Thousand only) and the minor 2nd respondent / 2nd Claimant shall be entitled to receive Rs. 13,00,000/- (Rupees Thirteen Lakhs only). The minor's money shall be deposited with the Indian Bank, High Court Branch, High Court, Chennai - 600 104, in the name of the minor till he attains majority. The guardian / father shall be entitled to withdraw his share and quarterly interest from the deposit, for the education and maintenance of the minor. The award is passed accordingly.

5. 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. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

M/s.TATA AIG General Insurance Company Limited,
No.1, Commander-in-Chief Road,
Egmore, Chennai - 600 008.

Sd/-

.. Counsel for the Appellant

Sd/-

1.Nagaraj

Sd/-

2.Ngaarjun (Minor)

(Minor Rept. By father & NF

Sd/-

1st Respondent)

.. Counsel for the Respondent

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.

Sd/-

Judge

Sd/-

Member

Sd/-

Member

Sd/-

Assistant Registrar

//True Copy//

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal (V Small Causes Court), Chennai.
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.465 of 2018
and
CMP No.4213 of 2018

PVS (CO)
EU (14/09/2018)



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