

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.466 of 2018 and CMP No.4215 of 2018

Appeal against the judgment and decree passed on 20.09.2017
made in M.C.O.P. No.6252 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.P.Gopi
 - 2.Deena (Minor)
 - 3.Sasikumar (Minor)
- (Respondents 2 and 3 minors represented
by father and NF 1st Respondent)... Respondents 1to4/Petitioners
- 4.Krishnamoorthy
- (Ex-parte before the Tribunal)..4th 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.17,66,000/- 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 both the minors 2nd and 3rd respondents / 2nd and 3rd Claimants shall be entitled to receive Rs. 6,50,000/- each (Rupees Six Lakhs and Fifty Thousand 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 minors till they attain majority. The minors shall be entitled to withdraw both the Principal and Interest given by the Bank on attaining majority. 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.P.Gopi

Sd/-

2.Deena (Minor)

Sd/-

3.Sasikumar (Minor)

(Respondents 2 and 3 minors represented
by father and NF 1st Respondent) .. Counsel for the Respondents

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//

Sub Assistant Registrar

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.
- + 2 copies

C.M.A.No.466 of 2018
and
CMP No.4215 of 2018

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

सत्यमेव जयते

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