

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.58 of 2018

(Appeal against the judgment and decree passed on
01.02.2017 in M.C.O.P.No.2849 of 2013 on the file of the Motor
Accidents Claims Tribunal (Special Sub Court No.1, at Chennai.)

The Oriental Insurance Co.Ltd.,
115, Prakasam Salai, II Floor,
Broadway, Chennai - 600 104.

.. Appellant/2nd Respondent

Vs.

1. B.Mallika
2. B.Kumaran
3. B. Kanchana

.. Respondents 1 to 3/
claimants 1 to 3

4. K.R.Manikandan

Exparte before the Tribunal) .. 4th Respondent/1st Respondent

This case has not been listed today. On representation of
the counsel for both sides this case is taken up for settlement
before the Lok Adalat. Both the parties are present.
Mr.M.Krishnamoorthy, the learned counsel for Insurance Company
and Mr.P.Udayakumar learned counsel for the respondent 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.7,93,750/- 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.6,00,000/- (Rupees Six Lakhs only) with interest at 7.5% per annum.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount of Rs.6,00,000/- (Rupees Six Lakhs only), with interest at 7.5% per annum after deducting the amount already deposited if any, within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the respondents 2 and 3 / claimants will be entitled to withdraw Rs.50,000/- each. The balance amount with accrued interest will be withdrawn by the first respondent / claimant. After withdrawal surplus amount if any, will be refunded to the Insurance Company. The claimants are permitted to withdraw the modified amount without filing any formal petition. Award is passed accordingly.

4. 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 closed, if any.

Sd/-
The Oriental Insurance Co.Ltd.,
115, Prakasam Salai, II Floor, Sd/-
Broadway, Chennai - 600 104. .. Counsel for the Appellant

Sd/-
1. B.Mallika

Sd/-
2. B.Kumaran

Sd/- Sd/-
3. B.Kanchana .. 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.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar (L.A)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal
(Special Sub Court No.1, at 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

CMA.No.58 of 2018

sj (co)
cs/26/03/18

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