

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-II organised by the High Court Legal Services
Committee

Friday, the 16th 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 J.A.K.SAMPATHKUMAR (Retd.)

and

Members

Mr.A.Thanikasalam (District Judge Retired)

Mrs.S.S.Jothivani

C.M.A.No.289 of 2014

(Appeal against the award and decree passed on 28.09.2012 in M.C.O.P.121 of 2007 on the file of the Motor Accident Claims Tribunal, (In the Court of the Chief Judicial Magistrate), Thiruvallur).

The Manager,
United India Insurance Co.Ltd.,
24-385-2, Arya Towers, GNT Road,
Dargamitta, Nellore-3.

...Appellant

Vs.

1. Padmareddy

2. Y. Ankaiah

(2nd respondent is set exparte before the Tribunal)

...Respondents

Though the case is not listed today, this case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.D.Baskar and the learned counsel for the 1st respondent, Mrs.A.Sulochana 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 the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.8,92,000/- with interest at 9% 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.

3. After due deliberation and consultation, both the parties have agreed to modify the award to sum of Rs.8,42,000/- (Rupees eight lakhs forty two thousand only) with interest at 7.5% per annum from the date of petition till the date of deposit. The Award is modified accordingly.

4. The appellant / Insurance company is directed to deposit the above said modified award amount within a period of six weeks from the date of receipt of a copy of this order.

5. On such deposit, the claimant is entitle for withdraw the same without filing any formal application.

6. The Tribunal is directed to issue the cheques to the parties 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.

-s/d-

The Manager,
United India Insurance Co.Ltd.,
24-385-2, Arya Towers, GNT Road,
Dargamitta, Nellore-3.

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-s/d-
Counsel for the Appellant

-s/d-

Padmareddy

-s/d-
Counsel for the respondent

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

-s/d-
Member

-s/d-
Judge

-s/d-
Member

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

The parties/Advocate concerned

Copy to

- 1.The Motor Accidents Claims Tribunal, (Chief Judicial Magistrate), Thiruvallur.
- 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.289 of 2014

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