

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Monday, the 25th day of June, 2018

LOK ADALAT ORDER

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

THE HON'BLE MR.JUSTICE MALAI.SUBRAMANIAN (Retd.)
and

Members

Mr. P.T.Loganathan
Mr. M.Shankar

C.M.A.No.2978 of 2017

(Appeal against the Judgment and decree dated
12.07.2016 made in M.C.O.P.No.1209 of 2013, on the file of Motor
Accident Claims Tribunal, (Special Sub Judge No.1, Salem).

1. S.Murugan .. Appellant/Petitioner

Vs.

1. V.Thangaraj
2. The Oriental Insurance Company Limited,
Branch Office:
Siva Complex 2nd Floor,
No.22-C, Saratha College Road,
Salem.

.. Respondents/Respondent

(R1 exparte before the Tribunal)

This case is taken up for settlement before the Lok Adalat.
Both parties are present. Mr.S.Ravichandran the learned counsel
for Oriental Insurance Company Limited, and the learned counsel
for the respondent for Mr.S.Arunkumar are present.
Mr.S.Balakrishnan, Manager, Oriental Insurance Company Limited
is 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.4,50,000/- with interest at 7.5% from the date of petition till the date of deposit and costs as compensation. It is represented by the learned counsel for the appellant / claimant that the award amount has already been deposited before the Tribunal and a portion the same has been withdrawn by the claimant / appellant.

2. Not satisfied with the award of the Tribunal, the appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.1,50,000/- (Rupees One Lakhs Fifty Thousand Only) in full quit as additional compensation over and above the award passed by the Tribunal.

3. The second respondent / Insurance Company is directed to deposit the additional award amount within a period of six weeks from the date of receipt of copy of this order.

4. On such deposit, the appellant / claimants is permitted to withdraw the additional award amount along with the balance amount lying in Bank Deposit without filing any formal petition before the Tribunal. Award is passed accordingly.

5. The Tribunal is directed to issue cheque to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently the connected Miscellaneous Petition is closed.

sd/-
1. S.Murugan

sd/-
Counsel for the Appellant

sd/-
The Oriental Insurance Company Limited,
Branch Office:
Siva Complex 2nd Floor,
No.22-C, Saratha College Road,
Salem.

sd/-
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.

sd/-
Judge

sd/-
Member

sd/-
Member

s/d-
Assistant Registrar(L.A)

True Copy

Sub-Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal (Special Subordinate Judge No.1, Salem).
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.2978 of 2017

SP(11/08/2018)

सत्यमेव जयते

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