

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Wednesday, the 5th day of September, 2018
LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE K.SWAMIDURAI (Retd.)

and

Members

Mrs.M.Rajalakshmi
Mr. C.T.Mohan

C.M.A.No.3265 of 2017

Appeal against the Judgment and Decree dated 18th April 2017 made in M.C.O.P. No.1238 of 2013, in so far as related to disallowed portion of the compensation, on the file of Motor Accidents Claims Tribunal (Special Sub-Court No.I, Motor Accidents Claims Petitions) Small Causes Court, Chennai.

M.Saravanan ... Appellant/Petitioner

Vs.

Metropolitan Transport Corporation Ltd.,
Rep. By its Managing Director,
Pallavan Salai,
Chennai - 600 002. ... Respondent/Respondent

This case has not been listed today but came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Mr.B.S.Padmanaban and the learned counsel for the respondent Mr.S.S.Swaminathan and Mr.G.Ravindran, Deputy Manager (Legal) for the Metropolitan Transport Corporation Ltd., 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. 14,92,200/- (Rupees fourteen lakhs, ninety two thousand, Two hundred only) with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the Respondent / Transport Corporation that a sum of

Rs.19,02,398/- (Rupees Nineteen lakhs, two thousand, Three hundred and ninety eight only) has already been deposited before the Tribunal and a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) has been withdrawn by the claimant / appellant.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs. 75,000/- (Rupees Seventy Five thousand only), in full quit as additional compensation.

3. The Respondent / Transport Corporation is directed to deposit the additional award amount of Rs.75,000/- (Rupees Seventy Five thousand only), within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the appellant / claimant is permitted to withdraw the balance award amount along with the additional award amount without filing any formal petition before the Tribunal. 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.

Sd/-
M.Saravanan

Sd/-
.. Counsel for the Appellant

Sd/-
Metropolitan Transport Corporation Ltd.,
Rep. By its Managing Director,
Pallavan Salai,
Chennai - 600 002.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal (Special Sub-Court No.I,
Motor Accidents Claims Tribunal) 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

sm:15.10.2018

C.M.A.No.3265 of 2017

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