

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

Friday, the 22nd day of June 2018

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.VIJAYARAGHAVAN(Retd .)
and

Members

Mr.N.Mohandoss

Mr.G.Purushothaman

CMA.No.859 of 2018

&

CMP.No.7100 of 2018

(Appeal against the judgment and decree dated 25.01.2017
made in M.C.O.P.No.132 of 2016 on the file of the Motor
Accidents Claims Tribunal, (District Judge, Nagapattinam).

The Managing Director
Tamilnadu State Transport Corporation
Kumbakonam Town and Taluk,
Thanjavur District.

... Appellant

Vs.

- 1.Vijayalakshmi
2. Pattu (Died)
3. S.Sivanantham
4. S.Baladhandaudham
5. S.Rajalakshmi

(Respondents 3 to 5 are impleaded as the LRs
of the deceased 2st respondent as per order
dated 22.06.2018 in the memo.

.. Respondents

This case came up for settlement before the Lok Adalat.
Both the parties present. The learned counsel for the appellant
Mr.G.B.Rajesh for D.Venkatachalam and the learned counsel for
the respondents M/s.A.Salomi and P.Sathish Prabu 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.14,81,000/- 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 / Transport Company had
preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to sum of Rs.15,50,000/- (Rupees fifteen lakhs fifty thousand only) in full quit and the memo filed to this effect by both sides is recorded.

3. The appellant / Transport company is directed to deposit the above said modified award amount of Rs.15,50,000/- (Rupees fifteen lakhs fifty thousand only) in full quit, the appellant/Transport Corporation is directed to deposit the entire amount 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, failing which the Transport Corporation shall pay interest @ 7.5% per annum from this date till the date of deposit.

4. On such deposit, of the award amount as stated above is apportionment as hereunder:

1st respondent, is permitted to withdraw a sum of Rs.10,70,000/-

3rd respondent, is permitted to withdraw a sum of Rs.1,60,000/-

4th respondent, is permitted to withdraw a sum of Rs.1,60,000 /-

5th respondent, is permitted to withdraw a sum of Rs.1,60,000 /-

The respondents/claimants 1,3,4 & 5 are permitted to withdraw their respective shares on due applications in one instalment. Award is passed accordingly.

5. The Tribunal is directed to permit the claimants to submit applications for withdrawal of the deposited amount and on submission of such applications, the Tribunal shall permit them to withdraw the said amount through RTGS. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous petition is closed.

Sd/-

The Managing Director
Tamilnadu State Transport Corporation
Kumbakonam Town and Taluk,
Thanjavur District.

Sd/-

Counsel for the Appellant

Sd/-

Vijayalakshmi

Sd/-

S.Sivanantham

Sd/-
S.Baladhandaudham

Sd/-
S.Rajalakshmi

Sd/-
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

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, (District Judge, Nagapattinam).
- 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

KS(CO)
sm:11.7.2018

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