



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services Committee

Friday, the 05th day of October 2018

WEB COPY

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)
and

Members

Mr.P.T.Loganathan
Mr.P.Vijayalakshmi

C.M.A.No.2113 of 2018 and CMP.No.16456 of 2018

(Appeal against the judgment and decree dated 28.07.2015 made in M.C.O.P.No.181 of 2010 on the file of the Motor Accidents Claims Tribunal, Subordinate Judge, Mannarkudi)

The Managing Director,
Tamilnadu State Transport Corporation
(Kumbakonam Division) Kumbakonam
Kumbakonam Munsifi and Town.

.. Appellant

Vs.

Maran

.. Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.D.Venkatachalam, learned counsel for the Appellant and Mr.S.Sadasivan, 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 petitioner viz., Maran in original petition, sustained multiple injuries including head injury in the motor accident. For which, a claim petition was filed in the Tribunal, Mannarkudi in MCOP.No.181 of 2010. The Tribunal examining the entire evidence passed an award to an extent of Rs.17,02,728/- with 7.5% interest from the date of petition till the date of deposit.

2. Challenging the award of the Tribunal, the present Civil Miscellaneous Appeal has been filed by the Tamil Nadu State Transport Corporation. While filing the appeal, Rs.25,000/- has been deposited by the Transport Corporation in the Tribunal.



3. Now both the parties and their counsels have agreed to a settlement fixing the compensation of Rs.21,00,000/- in full quit - Rs.25,000/- deposited into the Court.

4. The appellant / Transport Corporation is directed to deposit the balance amount of Rs.20,75,000/- within a period of eight weeks from the date of receipt of a copy of this order.

5. On such deposit, the respondent / claimant is permitted to withdraw a sum of Rs.20,75,000/- without filing any formal petition. Award is passed accordingly.

6. 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. The amount of Rs.25,000/- in court deposit can be withdrawn by the claimant / petitioner forthwith.

Sd/-
The Managing Director,
Tamilnadu State Transport Corporation
(Kumbakonam Division) Kumbakonam
Kumbakonam Munsif and Town.

Sd/-
Counsel for the Appellant

Sd/-
Maran

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 Subordinate Court,
Motor Accident Claims Tribunal, Mannarkudi.
 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.
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C.M.A.No.2113 of 2018
and CMP.No.16456 of 2018

SV(CO)
EU(09/11/2018)