

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee
Saturday, the 08th day of December, 2018

LOK ADALAT AWARD

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

Presided by

THE HON'BLE Mr. JUSTICE M.DHANDAPANI

and

Members:

Mr. A.Selvadoss
Mrs.N.Mala

CRP.No.2623 of 2018

(Civil Revision Petition filed seeking to set aside the order and decretal order dated 10.04.2018 made in I.A.No.48 of 2017 in MCOP.No.65 of 2014 on the file of the Subordinate, Judge, Arakkonam).

The General Manager
Tamil Nadu State Transport Corporation
Villupuram Limited
Tiruvannamalai.

...Petitioner

Vs.

R.Venkatesan

..Respondent

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This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the petitioner, Mr.K.J.Sivakumar, is present. The learned counsel for the respondent/Party-in-Person 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 respondent/claimant filed in MCOP.No.65 of 2014 on the file of the Sub Judge, Arakkonam, claiming compensation of Rs.20,00,000/- for the injuries sustained by him. However, no one represented on behalf of the petitioner. Hence, the learned Sub Judge passed ex-parte award against the Transport Corporation awarding a sum of Rs.14,52,000/- with interest at 7.5% p.a. from the date of application till the date of deposit.

2. Aggrieved by the same, Transport Corporation filed set aside petition to set aside exparte award along with a petition to condone delay in I.A.No.47 of 2017 to condone the delay in filing the set aside petition. The said I.No.47 of 2017 was dismissed. Challenging the same, this Civil Revision Petition has been filed.

3. At this stage, the petitioner/Transport Corporation and the respondent, mutually agreed to settle and modify the award of the learned Sub Judge to a sum of Rs.12,20,000/- (Rupees Twelve lakhs and Twenty Thousand Only) in full quit.

4. It is represented by the Transport Corporation that a sum of Rs.25,000/- has already been deposited. Hence, the petitioner

/Transport Corporation is directed to deposit the balance award amount of Rs.11,95,000/- within a period of twelve weeks from the date of receipt of a copy of this award, to the credit of MCOP.No.65 of 2014 on the file of the Subordinate, Judge, Arakkonam. On such deposit being made, the respondent is permitted to withdraw the amount on filing proper application. Award is modified accordingly.

5. The trial Court is directed to transfer the above said award amount to the Bank account of the respondent by way of NEFT/RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

6. The Civil Revision Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition, if any, is closed.

The General Manager
Tamil Nadu State Transport Corporation
Villupuram Limited
Tiruvannamalai.

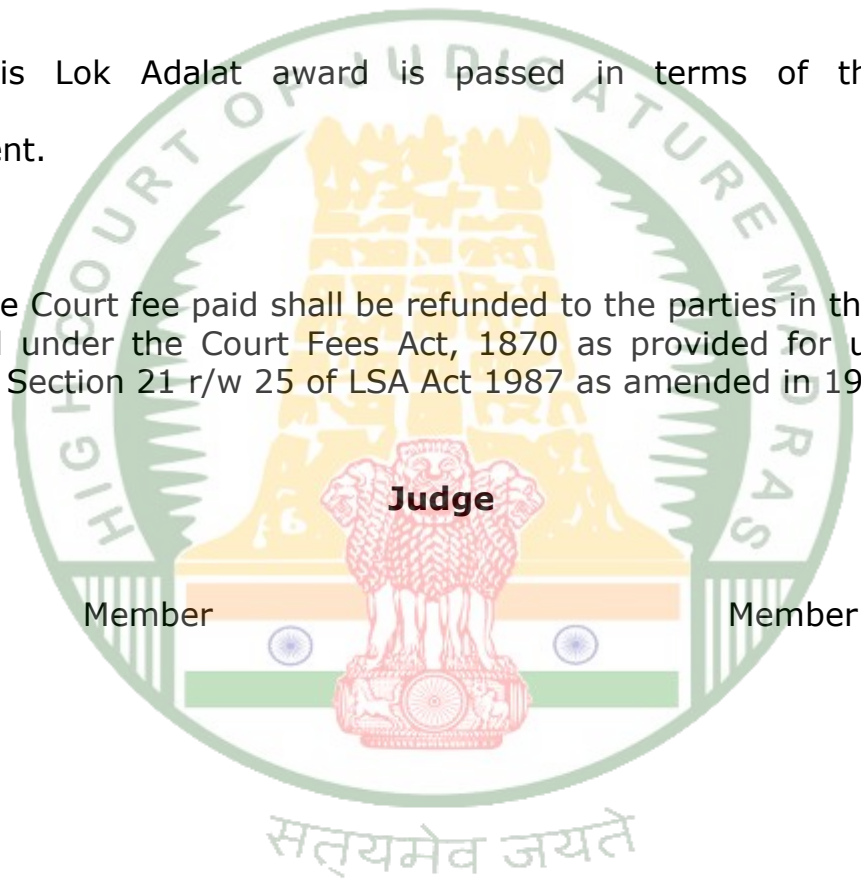
Counsel for Petitioner

R.Venkatesan

Counsel for Respondent

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the manner provided under 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.



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M.DHANDAPANI.J,

dna/pri

To

The parties/Counsel concerned

Copy to

- 1.The Subordinate Court, Arakonnam.
- 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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08.12.2018