

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 14th Day of July, 2018

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Dr.JUSTICE S.VIMALA

Members

Mr.R.Jeyaratchakan

Mr.V.T.Balaji

Civil Miscellaneous Appeal No.768 of 2009
& C.M.Ps. if any

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Judgement and decree, dated 08.07.2008 made in MCOP.NO.50 of 2005 on the file of the Motor Accident Claims Tribunal, Subordinate Court, Cheyyar.

The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Villupuram.

... Appellant/Respondent
before the Tribunal

Versus

S.Sathish Kumar

... Respondent/claimant

This CMA came up for settlement before the National Lok Adalat. Both the parties are present. Mr.K.J.Sivakumar, learned standing counsel for the appellant/Transport Corporation and S.Sathish Kumar, Party-in-person 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

This Civil Miscellaneous Appeal has been filed by the Transport Corporation. Since both the parties have consented to take up the CMA for final disposal, this CMA is taken up for final disposal.

2. The claimant S.Sathish Kumar had filed a claim petition in M.C.O.P.No.50 of 2005 before the Motor Accident Claims Tribunal, Subordinate Court, Cheyyar, claiming compensation of Rs.5,00,000/- for the injuries sustained by him in a accident that took place on 31.07.2004. As against the claim made, the Tribunal has passed an award for a sum of Rs.1,03,740/-, payable with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit. Challenging the award as excessive, the Transport Corporation has filed this appeal.

3. Now, both the parties have agreed to modify the Award to a sum of Rs.1,15,000/-, in full quit along with the accrued interest. Accordingly, the award is passed for a sum of 1,44,127/- which includes the interest payable by the Bank on the said deposit. The Award is passed accordingly.

4. The Tribunal is directed to transfer the compensation amount to the claimant's Savings Bank Accounts, through RTGS, on proper identification in accordance with the terms of the award, without insisting on any formal petition.

5. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, the connected MP, if any, is closed.

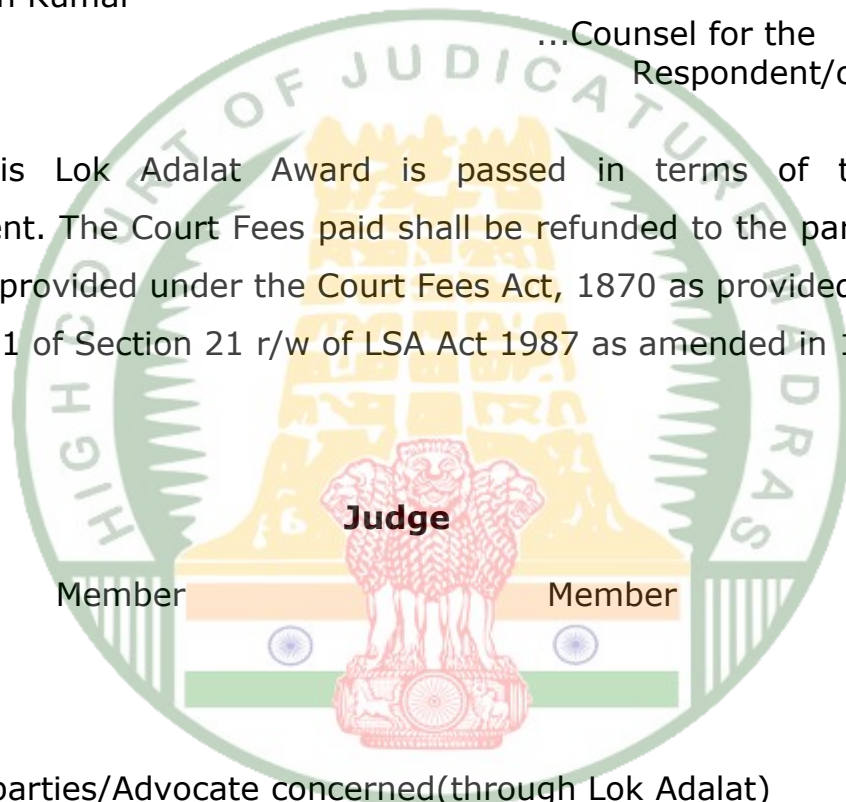
The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Villupuram.

...Counsel for the
Appellant/Respondent
before the Tribunal

S.Sathish Kumar

...Counsel for the
Respondent/claimant

This Lok Adalat Award is passed in terms of the above settlement. The Court Fees 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 of LSA Act 1987 as amended in 1994.



To: The parties/Advocate concerned (through Lok Adalat)
Copy to:

1. Motor Accidents Claims Tribunal, Subordinate Court, Cheyyar
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, Lok Adalat Section, High Court, Madras.
4. The Section Officer, V.R. Section, High Court, Madras.

WEB COPY

Dr. S.VIMALA, J.,

srk/gln



Civil Miscellaneous Appeal No.768 of 2009
& C.M.P.s. if any.

WEB COPY

14.07.2018