

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

C.M.A.No.1048 of 2017

(Appeal against the judgment and decree passed in
M.C.O.P.No.181 of 2009 on the file of the Motor Accident Claims
Tribunal/ principal Sub Judge, Tiruvannamalai dated 04.09.2012).

Subburayan

...Appellant

Vs.

1.Kamatchi

2.Divisional Manager

The National Insurance Company Limited
No.19, Officers Line, Vellore.

..Respondents

WEB COPY

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.M.Malar is present. The learned counsel for the second respondent Mr.D.Baskaran 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 Tribunal has awarded a sum of Rs.96,000/- with interest at 7.5% per annum from the date of petition, till the date of deposit and costs as compensation. Not being satisfied with the award passed by the Tribunal, the appellant/claimant has preferred the present appeal for enhancement.

2. After due deliberation and consultation, both the parties agreed to enhance the award of the Tribunal by a sum of Rs.80,000/- in full quit over and above the award passed by the Tribunal.

3. The second respondent/Insurance Company is directed to deposit the sum of Rs.80,000/- in full quit, over and above the award passed by the Tribunal, within a period of four weeks from the date of receipt of a copy of this order. On such deposit being made by the second respondent/Insurance Company, the appellant is permitted to withdraw the same on filing proper application before the Tribunal.

4. The Tribunal is directed to transfer the share amount to the Bank account of the appellant/claimant by way of NEFT/RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

5. The Civil Miscellaneous Appeal is disposed of accordingly.

Subburayan

Counsel for Appellant

Divisional Manager
The National Insurance Company Limited
No.19, Officers Line, Vellore. ..Counsel for second 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.

सत्यमेव जयते

Judge
WEB COPY

Member

Member

M.DHANDAPANI.J,

dna/pri

To

The parties/Counsel concerned

Copy to

- 1.The Motor Accident Claims Tribunal/Principal Sub Judge,
Tiruvannamalai.
- 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.



C.M.A.No.1048 of 2017

WEB COPY

08.12.2018