

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

Thursday, the 29th day of November 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.THANIKACHALAM(Retd.)  
and

Members

Mr.M.Ramachandran  
Mr.V.T.Balaji

W.P.No.30575 of 2017

Prayer : This Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 19.06.2017 seeking compensation for the death of petitioner's son Shankar due to the negligent acts of the respondents herein.

Mrs.Selvi .. Petitioner  
Vs.

1. The Commissioner,  
Hindu Religious Endowments  
Charitable Dept Headquarters,  
Nungambakkam High Road,  
Chennai.
2. The Assistant Commissioner,  
Hindu Religious Endowments Charitable Dept. Office,  
Salem District.
3. The Fit Person,  
Mr.Thirunanasambandar,  
Arl.Balasubramaniaswamy Temple,  
Vadachennimalai,  
Attur Taluk,  
Salem District.
4. The Executive Officer,  
Mr.Sankar,  
Arl.Balasubramaniaswamy Temple,  
Vadachennimalai,  
Attur Taluk,  
Salem District.

5. The Chairman,  
Kiruthigai Sangam,  
Arl.Balasubramaniaswamy Temple,  
Vadachennimalai,  
Attur Taluk,  
Salem District.

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.R.Vivekanathan, learned counsel for the petitioner is present.

#### TERMS OF SETTLEMENT

The petitioner's son by name, Shankar had been to temple festival, conducted the fifth respondent temple. In the temple, there was a fire works in which fire accident had taken place and in the said accident, the petitioner's son aged about 20 years or so, sustained injuries, succumbed to the same, for which the authorities have not paid any compensation, despite issuance of notice by the petitioner. Therefore, the deceased mother filed this writ petition seeking direction, to the respondents, to consider the representation and award compensation.

2. At this stage, the fifth respondent, who was responsible for the festival, offered to pay compensation and on that basis, there was a negotiation and in that negotiation parties have reached a settlement, under which the fifth respondent offered to pay a sum of Rs.2.5 lakhs as compensation, which was accepted by the petitioner also, as seen from the letters signed by both the parties, filed before this Forum. Before this Forum also the petitioner and fifth respondent have agreed and accepted the settlement and in our presence a sum of Rs.2.5 lakhs was given to the petitioner, accepted, evidencing the same a Memo filed recorded under which the petitioner has agreed to withdraw the writ petition.

3. In view of the above settlement, recording the same, the petitioner is permitted to withdraw the writ petition, as settled between themselves. Writ Petition is disposed of accordingly.

4. The full Court fee paid shall be refunded to the petitioner 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 and there shall be no demand for additional Court fee.

Sd/-  
Mrs.Selvi

Sd/-  
Counsel for the petitioner

Sd/-  
The Chairman,  
Kiruthigai Sangam,  
Arl.Balasubramaniaswamy Temple,  
Vadachennimalai,  
Attur Taluk,  
Salem District.

Sd/-  
Party-in-person

Sd/-  
Judge

Sd/-  
Member

Sd/-  
Member

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Commissioner,  
Hindu Religious Endowments  
Charitable Dept Headquarters,  
Nungambakkam High Road,  
Chennai.
2. The Assistant Commissioner,  
Hindu Religious Endowments Charitable Dept. Office,  
Salem District.

3. The Fit Person,  
Mr.Thirunansambandar,  
Arl.Balasubramaniaswamy Temple,  
Vadachennimalai,  
Attur Taluk,  
Salem District.

4. The Executive Officer,  
Mr.Sankar,  
Arl.Balasubramaniaswamy Temple,  
Vadachennimalai,  
Attur Taluk,  
Salem District.

5. The Chairman,  
Kiruthigai Sangam,  
Arl.Balasubramaniaswamy Temple,  
Vadachennimalai,  
Attur Taluk,  
Salem District.

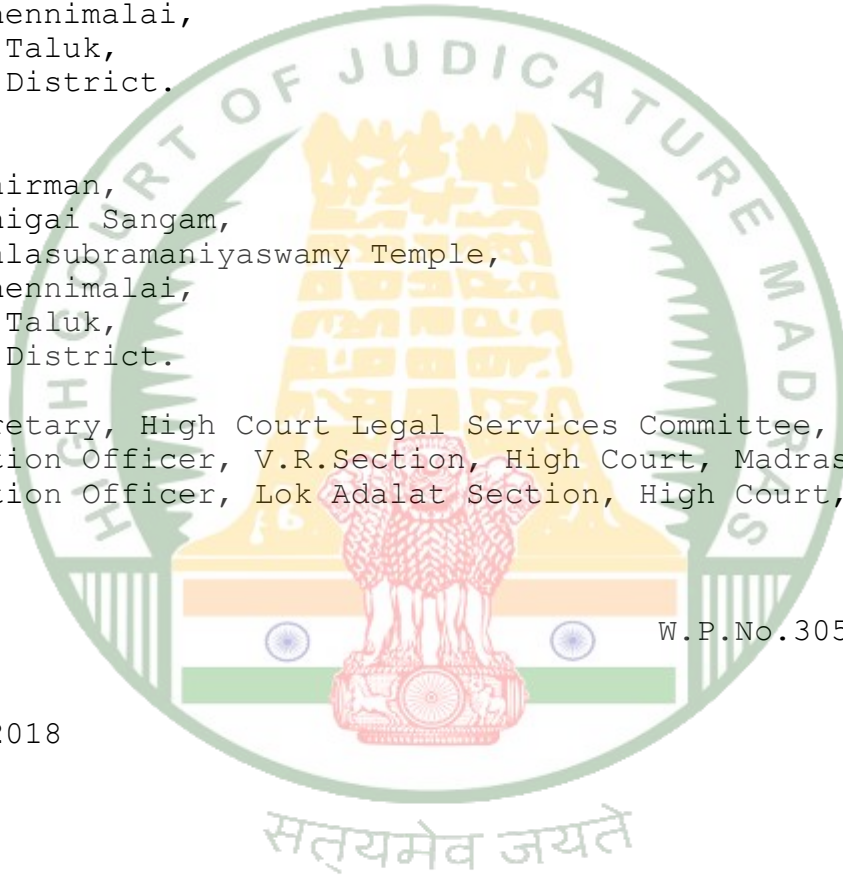
6.The Secretary, High Court Legal Services Committee, Chennai.

7.The Section Officer, V.R.Section, High Court, Madras.

8.The Section Officer, Lok Adalat Section, High Court, Madras.+2  
copies

W.P.No.30575 of 2017

vba (co)  
nr 04/12/2018



WEB COPY