



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 23rd day of January, 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.VIJAYARAGHAVAN, J (Retd.)
and

Members

Mr. K.Ramasamy
Mrs. N.Jayabharathi

C.M.A.No.2455 of 2017

(Appeal against the judgment and decree passed on 15.02.2016
in M.C.O.P.No.17 of 2014 on the file of the Motor Accidents
Claims Tribunal (II Additional District Judge's), Chidambaram.

The Manager,
National Insurance Co Ltd.,
Motor Third Party Claims Hub
3rd Floor, No.46, Moore Street,,
Chennai - 600 001.

.. Appellant /2nd Respondent

Vs.

1.Praveen Yadav

.. Respondent/ petitioner

2.Madhan

(R2 exparte before the tribunal)

This case came up for settlement before the Lok Adalat.
Both the parties are present. Mr.P.Sankaranarayanan, the learned
counsel for the appellant and the first respondent/claimant
appeared as 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

The Tribunal has awarded a sum of Rs.3,25,280/- with
interest at 7.5% per annum from the date of petition till the
date of deposit with pro costs as compensation. Aggrieved by
the award of the Tribunal, the appellant / Insurance Company
had preferred the present appeal.

2. After due deliberation and consultation, both the parties
have agreed to modify the award to a sum of Rs.3,40,000/-
(Rupees Three Lakhs Forty Thousand only) in full quit
(inclusive of interest) as compensation.



3. The appellant / Insurance Company is directed to deposit the above said modified award amount of Rs.3,40,000/- (Rupees Three Lakhs Forty Thousand Only) after giving due credit to any amount already deposited to the credit of the above MCOP before the Trial Court, within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, the first respondent/claimant is entitled to withdraw the aforesaid sum of Rs.3,40,000/- without filing any formal petition. Award is passed accordingly.

4. 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.

sd/-

The Manager,
National Insurance Co Ltd.,
Motor Third Party Claims Hub
3rd Floor, No.46, Moore Street,,
Chennai - 600 001.

sd/-

Counsel for the appellant

sd/-

Praveen Yadav - First respondent/Party in person

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

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar



To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal (II Additional District Judge's), Chidambaram
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. +2 copies

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SSI (CO)
SP (27/02/2018)