

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services
Committee

Thursday, the 25th day of January, 2018

LOK ADALAT AWARD

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

Hon'ble Mr.JUSTICE G.CHOCKALINGAM (Retd.)
and

Members

Mr.N.Ramachandran, District Judge, (Retd.,)
Mr.Kumaravelan

C.M.A No. 3515 OF 2017

(Appeal against the Award and decree passed on 23.03.2017 in
M.C.O.P.No.609 of 2015 of on the file of the Motor Accident
Claims Tribunal (III Court of Small Causes) of Madras.

The New India Assurance Company Limited,
No.45, 2nd Line Beach, Moores Street,
Chennai 600 001 .. Appellant/2nd Respondent
Vs.

1. N.Tharajath Neesa
 2. S.K.Nizar Ali ..Respondents 1&2/Petitioner
 3. S. Govindan
- (3rd respondent was Set exparte in Tribunal)
..3rd Respondents/Respondents-1

Though this case is not listed today, this case is taken up
for settlement before the Lok Adalat at the request of both the
parties. Both the parties are present. The learned counsel for
the appellant Mr.S.Manohar and the learned counsel for the 1st
and 2nd respondent A.N.Vishwanatharao 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

Both the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.50,05,000/- (Rupees
fifty lakhs five thousand only) with interest at 7.5% per annum
from the date of petition till the date of deposit and costs as
compensation.

3. The learned counsel for the appellant/Insurance company represented that they have preferred this appeal and the Hon'ble High Court granted stay on condition to deposit the 50 percent of award amount with interest and costs.

4. Now the parties agreed to modify the award to a sum of Rs.35,00,000/- (Rupees thirty five lakhs only) (instead of 50,05,000/-) with interest at 7.5% per annum from the date of petition till the date of deposit. Both claimants are entitled to receive the deposited amount equally.

5. The Tribunal is directed to deposit the amount from six weeks from today on such deposits.

6. The Tribunal is directed to issue the cheques to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal petition (Cheque petition). The Civil Miscellaneous Appeal is disposed of accordingly. The appellant is entitled to refund Court fee in this appeal.

Sd/-

The New India Assurance Company Limited,
No.45, 2nd Line Beach, Moores Street,
Chennai 600 001.

Sd/-

Counsel for the Appellant

Sd/-

1. N.Tharajath Neesa

Sd/-

2. S.K.Nizar Ali

Sd/-

Counsel for 1st and 2nd respondent

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal (III Court of Small Causes) of Madras.
- 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. 3515 OF 2017

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