

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

LOK ADALAT-II ORGANISED BY THE HIGH COURT LEGAL SERVICES
COMMITTEE

TUESDAY, THE 16TH DAY OF APRIL, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)
and

Members

Mr.S.Arumugam
Mr.T.D.Vasu

C.M.A.No.2885 of 2007

(Appeal against the judgment and decree dated 10.07.2006
made in M.A.C.T.O.P.No.234 of 2005 on the file of the Motor
Accidents Claims Tribunal cum Additional District Court (Fast
Track Court II Gobichettipalayam)

The Managing Director,
Tamilnadu State Transport Corporation Limited,
Coimbatore Division - I.

.. Appellant/2nd Respondent

Vs.

1. D.Chandra
2. Kittan (Given up)
3. M.Balasubramaniam (given up)
4. New India Assurance Company Limited,
Erode.

.. 1st Respondent/Petitioner

.. Respondents 3 & 4 in both

This case came up for settlement before the Lok Adalat.
Both the parties are present. Mr.K.J. Sivakumar, learned
counsel for the appellant and Mr.S.Natarajan, learned counsel
for the first respondent are present. After mutual discussion,
negotiation, mediation and conciliation between both parties,
they arrive at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

This case has been filed against the order of the Motor Accident Claims Tribunal cum Additional District Court (Fast Track Court II Gobichettipalayam) in M.A.C.T.O.P.No.234 of 2005. The claimant is the injured in the collusion of two vehicles, one is State Transport and the other is the Private Transport. The claim against the private vehicle owner and his insurance company have been dismissed by Fast Track Court.

2. Aggrieved by the above order of the Tribunal of the Fast Track Court, the State Transport has come up with this appeal. The first respondent/claimant and her advocate, viz., Mr.S.Natarajan, are present. The second respondent driver of the Transport is naturally absent. The appellant / Transport Corporation is represented by the Deputy Manager. Third and fourth respondents against whom the lower court dismissed the claim naturally are absent.

3. After discussion and negotiation, the matter has been settled in full quit at Rs.1,00,000/- (Rupees One lakh only). The amount of Rs.25,000/- has already been deposited by the appellant /Transport Corporation. The balance of Rs.75,000/- has to be deposited by the appellant / Transport Corporation within a period of six weeks from the date of receipt of a copy of this order, failing which it shall pay interest at the rate of 7.5% per annum from this date till the date of deposit. The interest accrued so far on the said sum of Rs.25,000/- already deposited by the appellant / Transport Corporation can be withdrawn by the first respondent / claimant.

4. On such deposit, the first respondent/ claimant is entitled to withdraw the settled amount without filing any formal petition. Award is passed accordingly.

5. The Tribunal is directed to disburse the award amount to the first respondent / claimant as per the procedure prevailing. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

Sd/-
The Managing Director,
Tamilnadu State Transport Corporation Limited,
Coimbatore Division - I.

Sd/-
Counsel for the Appellant

Sd/-
D.Chandra

Sd/-
Counsel for the first 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(L.A)

//True Copy//

Sub Assistant Registrar

adl

To:The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal cum Additional District Court (Fast Track Court II Gobichettipalayam)
- 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

सत्यमेव जयते

CMA.No.2885 of 2007

BP (CO)
CS/27/09/2019

WEB COPY