

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 5th day of February, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE K.SWAMIDURAI (Retd.)

and

Members

- 1.Mr.K.Govindan
- 2.Mrs.P.Kavitha Balakrishnan

C.M.A.No.776 of 2007

Appeal against the judgment and decree passed on 09.11.2006
made in M.C.O.P.No.75 of 2005 on the file of Additional District
and Sessions Judge (Fast Track Court), Vellore.

Priya

.. Appellant

Vs.

- 1.Mahadeva
 - 2.The Divisional Manager,
M/s.National Insurance Company Limited,
57, Thiru-vi-ka Industrial Estate,
Guindy, Chennai - 32.
 - 3.Karthikeyan
 - 4.M/s.United India Insurance Company Limited,
Rep. by its Divisional Manager,
Salem.
- (1st and 3rd Respondents set ex-parte before the Tribunal)

.. Respondents

This case has been listed today and came up for settlement
before the Lok Adalat. Learned counsel for the appellant
Mrs.R.T.Sundari for Mr.M.P.Jayaprakash and the learned counsel for
the Respondent Mr.J.Chandran and Mr.R.Premchander Manager,
National Insurance Company Limited, Chennai 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.3,89,296/- (Rupees Three Lakhs Eighty Nine Thousand Two Hundred and Ninety Six only) with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the second respondent / National Insurance Company Limited, that the award amount has already been deposited before the Tribunal and the same has been withdrawn by the claimant / appellant.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) in full quit as additional compensation.

3. The second respondent / National Insurance Company Limited is directed to deposit the additional award amount within a period of six weeks from the date of receipt of a copy of this Order.

4. . On such deposit, the appellant / claimant is permitted to withdraw the additional award amount without filing any formal petition before the Tribunal. The Award is passed accordingly.

5. The Tribunal is directed to issue the amount through cheque / RTGS to the parties 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.

Sd/-

Priya

sd/-

.. Counsel for the Appellant

sd/-
The Divisional Manager,
M/s.National Insurance Company Limited,
57, Thiru-vi-ka Industrial Estate,
Guindy, Chennai - 32.

sd/-
.. Counsel for the 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 (CS)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To:The parties/Advocate concerned

Copy to:

- 1.The Additional District and Sessions Judge (Fast Track Court), Vellore.
- 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.