

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 13th 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 MALAISUBRAMANIAN (Retd.)
and

Members

Mr. T. Seemadurai
Mr. T. D. Vasu

C.M.A.No.920 of 2007

Appeal against the Judgment and Decree dated 06.04.2006 made in M.C.O.P. No.3080 of 2001, on the file of Motor Accidents Claims Tribunal, Additional District Judge (Fast Track Court - V), Chennai.

The Managing Director,
Metropolitan Transport Corporation Limited,
Chennai - 2. .. Appellant/Respondent

Vs.

Varghese Joseph alias Raju .. Respondent/Petitioner

Prayer:-

This case has been listed today and came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Mr. K. S. Suresh and the learned counsel for the Respondent Mr. M. Balaji, for M/s. M. Rank Associates and Mr. V. Krishnamoorthy, Deputy Manager (Legal), for the Metropolitan Transport Corporation Ltd., 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. 1,28,500/- (Rupees One Lakh Twenty Eight Thousand Five Hundred only) with interest at 9% per annum from the date of petition till the date of deposit. It is represented by the Appellant / Transport Corporation that 50 % of the award amount with interest has already been deposited before the Tribunal. Aggrieved by the award of the Tribunal, the appellant / Transport Corporation has preferred the present appeal.

2. The Respondent / Claimant is at Canada and he authorised his mother Mrs.M.C.Mary to appear before the Lok Adalat, accept the compromise and withdraw the compensation amount. His mother Mrs.M.C.Mary is present today along with the Respondent's counsel. Her identification was verified through her Aadhar card. There is no objection by the appellant.

3. After due deliberation and consultation, both the parties have agreed to modify the award to a further sum of Rs.60,000/- (Rupees Sixty thousand only) in full quit as compensation besides the already deposited amount.

4. The appellant/Transport Corporation is directed to deposit the above amount of Rs.60,000/- (Rupees Sixty Thousand only) within a period of 8 weeks from the date of receipt of copy of this order.

5. On such deposit the respondent/claimant is permitted to withdraw the entire award amount including already deposited amount with accrued bank interest. Award is passed accordingly.

6. The Tribunal is directed to issue the amount through cheque / RTGS to the Mother of the respondent / Claimant Mrs.M.C.Mary 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/-
The Managing Director,
Metropolitan Transport Corporation Limited,
Chennai - 2.

Sd/-
Counsel for the Appellant

WEB COPY

Sd/-
Mrs.M.C.Mary
(Mother of the Claimant)

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 per 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

To:The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal,
Additional District Court (Fast Track Court - V), Chennai.
- 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

C.M.A.No.920 of 2007

CA(CO)
CS/27/03/2019