

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th day of July, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (RETD.)

and

Members

Mr.M.Sambasivam (District Judge Retd.)
Mr.A.Kothandaraman.

C.M.A.No.1898 of 2010

(This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1989, to **set aside** the Judgment and Decree dated 30.11.2009 in O.P.No. 1936 of 2006 **on the file of** Motor Accidents Claims Tribunal, (Principal District Judge), Cuddalore.

The United India Insurance Co Ltd.,
Divisional Office,
Cuddalore - 1

सत्यमेव जयते

... Appellant

Vs.

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1.K.Viswanathan
2.K.Vijayalakshmi
3.M.P.Pitchai
4.V.Vijayabaskar
5.The New India Assurance Company,
Bharathi Road,
Cuddalore

...Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr.P.Sankaranarayanan, learned counsel appearing for the appellant and Mr. P.J.Vedanarayanan, learned counsel appearing for the respondents 1 and 2 are present.

TERMS OF SETTLEMENT

The appeal in C.M.A No.1898 of 2010 pending on the file of the High Court of Madras and preferred against the award passed in M.C.O.P.No.1936 of 2006 on the file of Motor Accidents Claims Tribunal, Principal District Judge, Cuddalore District has been referred to Lok Adalat for conciliation today.

2. The petitioners in the claim petition laid their claims against the United India Insurance Company, Cuddalore as well as against the New India Assurance Company Ltd., Cuddalore. The Tribunal has passed an award in M.C.O.P.No. 1936 of 2006 for a sum of Rs. 2,83,000/- (Rupees Two Lakhs Eighty three Thousand Only) with interest at 9% per annum from the date of petition till the date of the deposit against United India Insurance Company, Cuddalore.

3.The United India Insurance Company, Cuddalore, the appellant herein assisted by Mr.P.Sankaranarayanan, learned Counsel for the appellant and the respondents 1 and 2/claimants assisted by the learned Counsel are present

before Lok Adalat for conciliation today. This is a case of motor accident causing injury to the respondents/claimants. After great deliberation and discussion, both the parties have compromised the disputed claim at the rate of award already passed by the Tribunal, but reduced the rate of interest from 9% to 6%. The appellant/insurance company has agreed to deposit the balance principal amount along with interest on the award amount at 6% per annum from the date of petition till the date of deposit within a period of six weeks from the date of receipt of a copy of this award.

4. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the appellant/insurance company shall pay a sum of Rs.1,41,500/- (Rupees One Lakhs Forty One Thousand and five hundred only) with interest at 6% from the date of petition till the date of deposit. Since, the appellant has already paid a sum of Rs.1,25,000/- (Rupees One Lakhs twenty five thousand only), the appellant is hereby directed to pay the balance principal amount along with interest at 6% per annum on the awarded amount. On deposit of the compromised amount, the respondents 1 and 2 claimants are permitted to withdraw the said amount without filing any formal petition. No order as to costs. Consequently, connected M.P. No. 1 of 2010 stands closed.

The United India Insurance Co Ltd.,
Divisional Office,
Cuddalore - 1

... Counsel for the Appellant

1.K.Viswanathan

2.K.Vijayalakshmi

3.M.P.Pitchai

4.V.Vijayabaskar

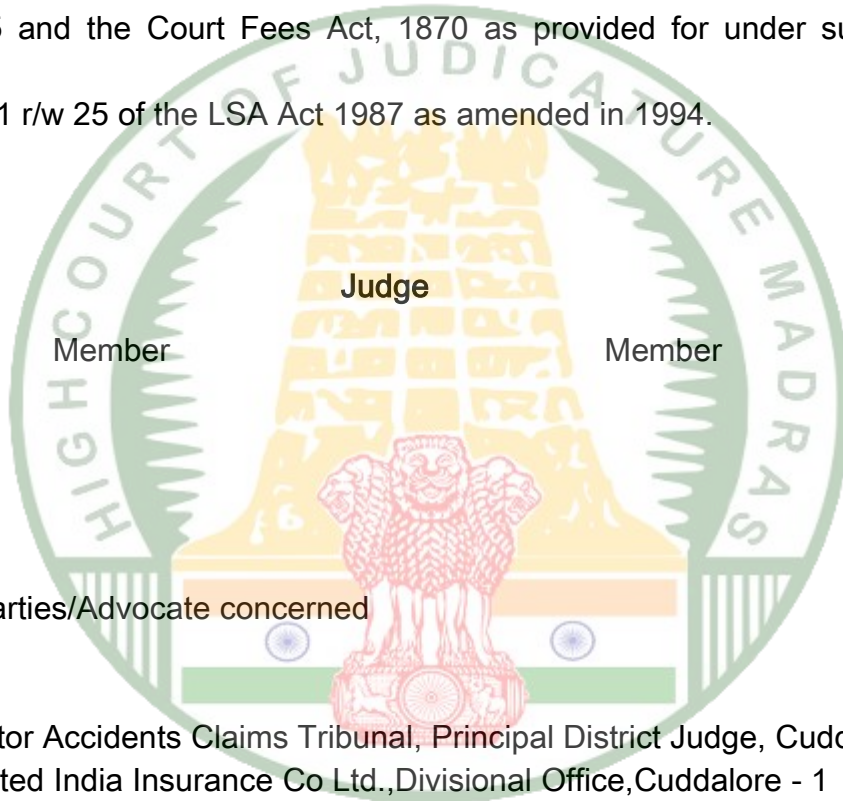
5.The New India Assurance Company,
Bharathi Road,
Cuddalore

... Counsel for the Respondents



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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 the LSA Act 1987 as amended in 1994.



To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Principal District Judge, Cuddalore.
2. The United India Insurance Co Ltd., Divisional Office, Cuddalore - 1
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R. Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

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P.THANGAVEL, J.(Retd)

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C.M.A.No.1898 of 2010
&
M.P. No. 1 of 2010

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Dated:13.07.2019



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