

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee

Saturday, the 09th day of March, 2019**LOK ADALAT AWARD**

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

Presided by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.T. Sankara Narayanan Pillai

Mr.Tranqubar Dorai Vasu

C.M.A.No.1282 of 2013

This Appeal is filed against the Judgment and Decree dated 12.12.2012 made in M.A.C.T.O.P.No.4201 of 2008 on the file of the Chief Judge, Small Causes Court (Motor Accidents Claims Tribunal), Chennai.

1.E.Sivagami

2.E.Muthu Kumar (since died)

3.S.Kalpana

4.E.Saravana Kumar

All residing at No.12/3,

3rd Reddy Street,

Ekkattuthangal,

Chennai – 600 097.

...Appellants

Vs.

1.M/s.Neel Metal Fanlca Environment

Management Pvt. Ltd.,

No.1868, II Block, 26th Street,

Anna Nagar West,

Chennai – 600 040.

[1st Respondent remained ex-parte]

2.United India Insurance Co. Ltd.,
Divisional Office 3,
No.58, Purasawalkam High Road,
Purasawalkam,
Chennai.

...Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned for the appellant Mr.R.Kalai Arasan and the learned counsel for the respondents Mr.S.Arun Kumar 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 appellant has preferred the present appeal against the Judgment and Decree dated 12.12.2012 made in M.A.C.T.O.P.No.4201 of 2008 on the file of the Chief Judge, Small Causes Court (Motor Accidents Claims Tribunal), Chennai to enhance the compensation.

2.It is represented by the insurance company that the Insurance company has accepted to deposit further a sum of Rs.5,00,000/- over and above with interest at the rate of 7.5% from the date of filing of the M.A.C.T.O.P.no.4201 of 2008. Both the parties have agreed for the same.

3.The Insurance Company is directed to deposit a further sum of Rs.5,00,000/- with interest at the rate of 7.5% from the date of filing of the M.A.C.T.O.P.No.4201 of 2008, within a period of six weeks from the date of receipt of a copy of this order.

4.The first appellant is allowed to withdraw Rs.3,00,000/- with interest and the third and fourth appellants are allowed to withdraw Rs.1,00,000/- each with interest.

5.The Tribunal is directed to transfer the above said modified award amount to the individual bank account of the appellants by way of NEFT/RTGS, on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

6.The Civil Miscellaneous Appeal is disposed of accordingly.

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the manner provided under 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.

1.E.Sivagami

2.E.Muthu Kumar (since died)

3.S.Kalpana

4.E.Saravana Kumar

... Counsel for the Appellants

United India Insurance Co. Ltd.,
Divisional Office 3,
No.58, Purasawalkam High Road,
Purasawalkam,
Chennai.

... Counsel for the 2nd Respondent

Judge

Member

Member

M.NIRMAL KUMAR.J,

ah

To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal,
In the Court of Small Causes, 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.



C.M.A.No.1282 of 2013

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09.03.2019