

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Friday, the 2nd day of August 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

Member

Mr.M.G.Jeyavelu

CMA.No.1268 of 2015

Appeal against the Judgment and decree dated 15.07.2014 made in M.A.C.T.O.P.No.4677 of 2012 on the file of the Motor Accident Claims Tribunal, (VI Court of Small Causes) Chennai.

Shilpa ... Appellant/Petitioner

Vs.

1. K.Chinnadurai

2. Bajaj Alliance General Insurance Co.Ltd.,
No.25/26, Prince Tower,
College Road, Chennai - 600 006.

... Respondents/Respondents

(1st respondent remained Ex-parte)

This case came up for settlement before the Lok Adalat. Ms. M. Malar, the learned counsel for the appellant, Ms.Akshaya V.C. Senior Executive, (legal), Bajaj Alliance General Insurance Co.Ltd., and the Counsel for the second respondent represented by Mr.T.K.Premkumar as well as parties also 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.3,00,000/- (Rupees Three Lakh only) with interest at 7.5% per annum from the date of petition till the date of deposit.

2. The appellant/ claimant being minor has preferred the present appeal against the award amount for enhancement. Now, both the parties have agreed to a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) along with interest @ 7.5% from the date of petition till the date of deposit.

3. It is represented by the learned counsel for the appellant that the minor has attained the majority and accordingly, the memo has been filed enclosing Birth Certificate and Aadhar Card as proof. The same is recorded and declared as major.

4. The 2nd Respondent /Insurance Company is directed to deposit the aforesaid amount, after deducting the amount already deposited if any, within a period of four weeks from the date of receipt of a copy of this order.

5. On such deposit, the appellant since she attained majority, is entitled to withdraw a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) with accrued interest from the date of petition till the date of deposit without filing any formal petition before the Tribunal. The Award is passed accordingly.

6. 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/-
Shilpa

Sd/-
Counsel for the Appellant

Sd/-
Bajaj Alliance General Insurance Co.Ltd.,
No.25/26, Prince Tower,
College Road, Chennai - 600 006.

Sd/-
Counsel for the 2nd 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/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

To:

The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal,
(VI 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. + 2 copies

CMA.No.1268 of 2015

PP(CO)
CS/18/09/2019

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