

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 10th day of December, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM (Retd.)
and

Member

Mr. E. Krishnan

C.M.A.No.1272 of 2015

Appeal against the judgment and decree passed on 02.04.2014 made in
M.C.O.P. No.3064 of 2011 on the file of the Motor Accidents Claims Tribunal(III
Court of Small Causes, Chennai.

V. Swaminathan @ Arun

.. Appellant

Vs.

1.C. Sankar S/o. Chinnapaiyan

2.P. Dayalan

3. M/s. Bajaj Allianz General Insurance Company Ltd.
No.25/26, Nungambakkam, College Road,
Chennai – 600 006.

.. Respondents

Even though this case is not listed today, both parties came up for
settlement before the Lok Adalat. Learned counsel for the appellant Mr.Ma.P.
Thangavel and the Learned Counsel for the 3rd Respondent Mr.R.V. Sivaraj and
Ms.Akshaya. V.C. Senior Executive, of the Insurance Company 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.2,41,000/- with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation. Aggrieved by the award of the Tribunal, the claimant / the appellant herein had preferred the present appeal.

2.After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs. 1,10,000/- (Rupees One Lakhs and Ten Thousand Only) in full quit over and above of the compensation.

3.Admittedly, It is represented by the Senior Executive for the Insurance Company that the award amount passed by the Tribunal has been already deposited by the Insurance Company.

4. As agreed by both parties, the Insurance Company/3rd respondent herein is directed to deposit the above said amount of Rs.1,10,000/- (Rupees One Lakhs and Ten Thousand Only), within a period of four weeks from the date of receipt of a copy of this Order.

5.On such deposit, as the appellant / Claimant who is attained majority, is entitled to withdraw the said amount without filing any formal petition. 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.

V. Swaminathan @ Arun

.. Counsel for the Appellant

M/s. Bajaj Allianz General Insurance Company Ltd.
No.25/26, Nungambakkam, College Road,
Chennai – 600 006.

.. Counsel for the 3rd Respondent

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

The Court fee paid shall be refunded to the appellant 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.

सत्यमेव जयते
Judge

WEB COPY Member

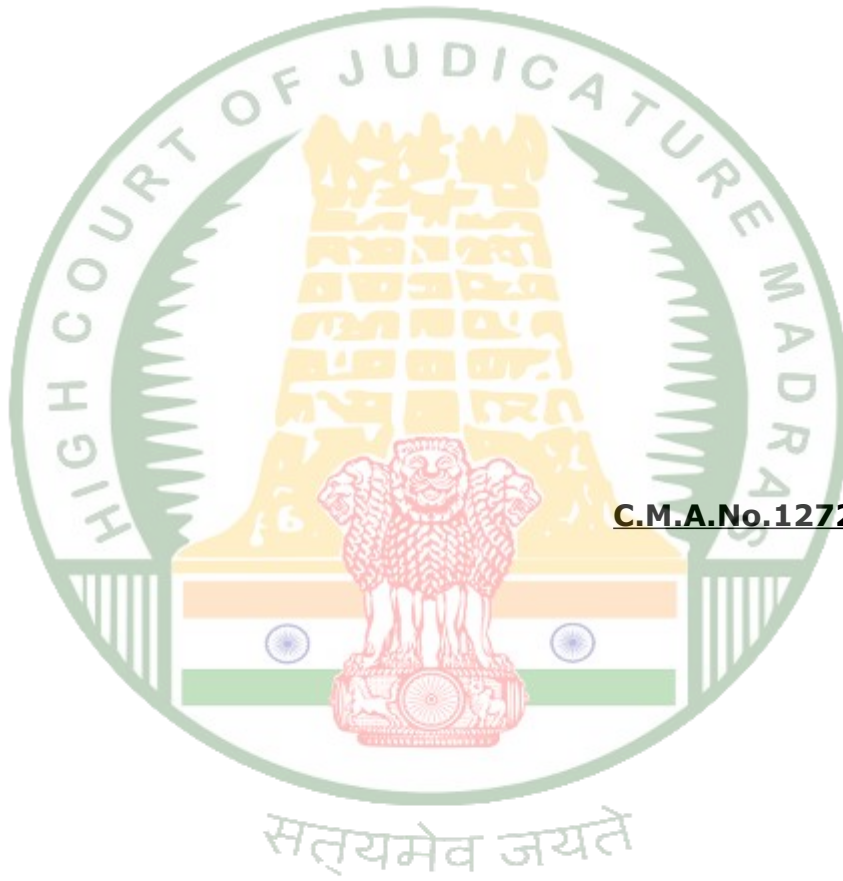
To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal (III Small Causes Court), 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.

T.N.VALLINAYAGAM (Retd.)

lbm



C.M.A.No.1272 of 2015

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10.12.2019