

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organized by the High Court Legal Services Committee
Saturday, the 14th December, 2019
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Honourable Mr.JUSTICE P.RAJAMANICKAM

Members:

Mr.G.Dhanaraj
Mr.V. Shanmugasundaram

and

C.M.A.No.162 of 2013

(Appeal against the Judgment and decree passed on 14.03.2012 in M.A.C.T.O.P.No.4642 of 2007 on the file of the Motor Accidents Claims Tribunal, The Chief Judge, Small Causes Court, Chennai)

- 1.L.Kumari
2. R.Loganathan
- 3.L.Kanchanna

... Appellants

- 1.J.Lakshmi
- 2.National Insurance Company Ltd.,
Service Branch at D.O.IX,
Leather Centre, 2nd floor,
53, Raja Muthiah Road,
Periapet, Chennai – 600 003.

Vs.

...Respondents

Though this case has not been listed today in the cause-list before the National Lok Adalat, since it is represented that the parties are willing for settlement, this case is taken up for final disposal. Both the parties are present. Mr.R.Kalaiarasan, the learned counsel for the appellants and Mr.J.Michael Viswasam, the learned counsel for the second respondent are present. After discussion and negotiation, the matter is settled as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.5,54,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit and costs as compensation. Challenging the quantum of compensation, the appellants/claimants has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to enhance the award with a sum of Rs.4,25,000/- (Rupees Four Lakhs Twenty Five Thousand Only) in full quit over and above the award of the Tribunal and the award is accordingly enhanced.

3. In view of the above, the Insurance Company is directed to deposit the enhanced award amount, after deducting the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the first appellant is entitled to withdraw a sum of Rs.3,00,000/-; the second appellant is entitled to withdraw a sum of Rs.1,00,000/- and the third appellant is entitled to withdraw a sum of Rs.25,000/- .

4. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

1.L.Kumari

2. R.Loganathan

3.L.Kanchanna

Counsel for the Appellants

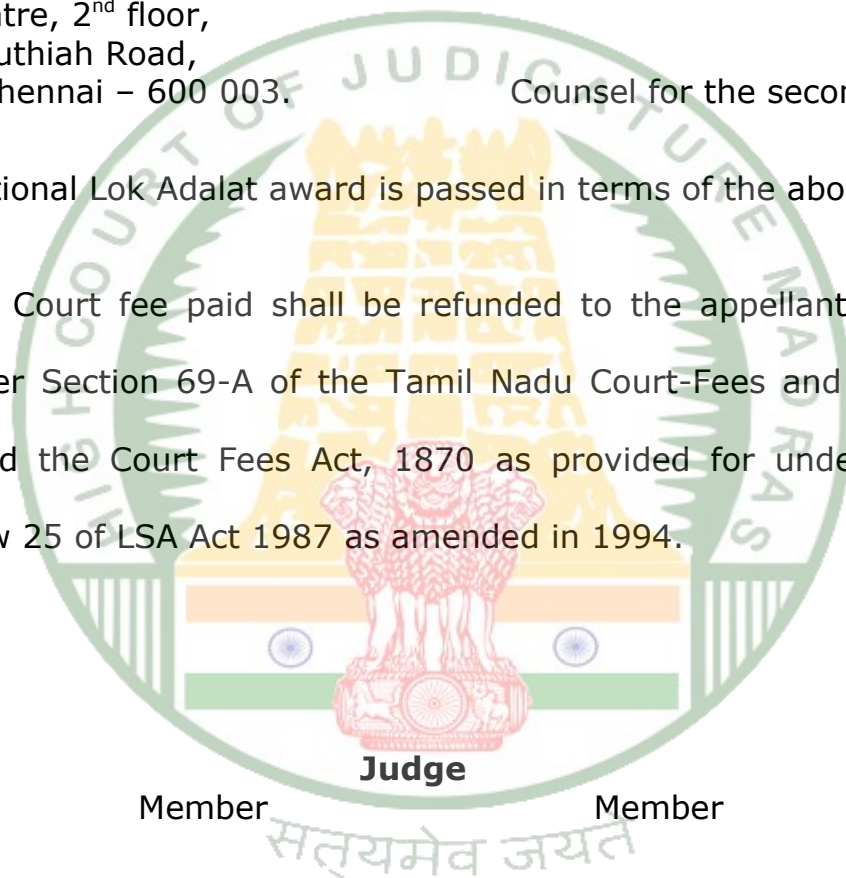
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National Insurance Company Ltd.,
Service Branch at D.O.IX,
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Periapet, Chennai – 600 003.

Counsel for the second respondent

This National 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.



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P.RAJAMANICKAM, J.

sbn/gv

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, The Chief Judge, 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.



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14.12.2019