

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.2403 of 2011

This Appeal is filed against the Judgment and Decree dated 05.04.2002 made in MACT.O.P.No.3115 of 1998 on the file of the III Court Small Causes (Motor Accidents Claims Tribunal), Chennai.

R.Ramakrishnan,
No.72/73, Durga Road,
G-5, Lakshmi Enclave-I,
Rajaji Nagar, Pallavaram,
Chennai – 600 043.

...Appellants

Vs.

1.P.Jayapandian,
Plot No.1857/A2, 6th Avenue,
17th Main Road, Anna Nagar (W),
Chennai – 600 040.
(Respondent 1 remained Ex-parte
before the Trial Court)

2.United India Insurance Co. Ltd.,
No.38, Anna Salai,
Chennai – 600 002.

...Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned for the appellants Mr.R.Kalai Arasan and the learned counsel for the 2nd respondent/appellant 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 appellants have preferred the present appeal aggrieved against the Judgment and Decree dated 05.04.2002 made in MACT.O.P.No.3115 of 1998 on the file of the III Court Small Causes (Motor Accidents Claims Tribunal), Chennai to enhance the compensation of Rs.1,63,383/- as awarded by the Lower Court to Rs.2,75,000/-.

2.It is represented by the insurance company that the claimants filed the claim over and above. Now, the Insurance company has agreed further to pay a sum of Rs.45,000/- as full quit. Both the parties have agreed for the same.

3.The Insurance Company is directed to pay a sum of Rs.45,000/- as full quit, within a period of six weeks from the date of receipt of a copy of this order and the claimant is permitted to withdraw the same, without filling any petition. Award is modified accordingly.

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

5.This 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.

R.Ramakrishnan

... Counsel for Appellant

United India Insurance Co. Ltd.,
No.38, Anna Salai,
Chennai – 600 002.

... Counsel for 2nd Respondent

सत्यमेव जयते

Judge

Member

Member

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M.NIRMAL KUMAR.J,

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To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal,
In the III 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.2403 of 2011

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09.03.2019