

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised 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

and

Members:

Mr.G.Dhanaraj
Mr.V.Shanmugasundaram

C.M.A.No.832 of 2006

(Appeal against the Judgment and decree passed on
01.02.2007 in M.A.C.T.O.P.No.494 of 2002 on the file of the Motor
Accidents Claims Tribunal, Additional Subordinate Judge,
Chengalpattu).

National Insurance Co.Ltd.,
Motor II Party Claims Cell,
Chennai

... Appellant

v.

1.Shanthi

2.Murugesan (Owner of the vehicle) ... Respondents

This case is taken up for settlement before the National Lok
Adalat. Both the parties are present. Mr.S.Vadivel, the learned counsel
for the appellant and Mr.C.Prabakaran, the learned counsel for the first
respondent 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.1,84,900/- 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 appellant/Insurance Company has preferred the present appeal.

2. It is represented by the appellant/Insurance Company that the entire award amount with interest and costs was already deposited before the Tribunal.

3. After due deliberation and consultation, both the parties have agreed to modify the award amount to the tune of Rs.1,35,000/- (Rupees One Lakh Thirty Five Thousand Only) with proportionate interest of 7.5% per annum from the date of petition till the date of deposit, and the award is accordingly modified.

4. In view of the above settlement, the first respondent is entitled to withdraw the above said modified award amount with

proportionate interest of 7.5% per annum from the date of petition till the date of deposit. After satisfaction of the decree, the appellant/Insurance Company is entitled to withdraw the balance amount before the Tribunal.

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

National Insurance Co.Ltd.,
Motor III Party Claims Cell,
Chennai

Counsel for the Appellant

Kandavel

Counsel for the first 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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

1. Motor Accidents Claims Tribunal, Chengalpattu
(In the Court of Additional Subordinate Judge, Chengalpattu)
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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C.M.A.No.2410 of 2011

P.RAJAMANICKAM, J.

sbn/gv



C.M.A.No.2410 of 2011

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