

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th July 2019

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE G.K.ILANTHIRAIYAN
and

Members

Mr.N.Sivathanu, District Judge (retd)
Mr.S.Arokiamaniraj

C.M.A.NO.1864 OF 2013

(Appeal against the judgment and decree passed on 21.12.2012 made in MCOP.No.196 of 2010 on the file of the Motor Accidents Claims Tribunal (XVI Additional Judge, Chennai).

1.R.Rathika
2.G.Raghu

.. Appellants

/versus/

1.J.Radhiga
(R1 set exparte before the Tribunal)

2.Cholamandalam Ms General Insurance Co.Ltd.,
Dare House, IInd Floor, NSC Bose Road,
Chennai-600 001.

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.N.M.Muthurajan, learned counsel for appellants/claimants and Mrs.Sri Vidhya representing Mr.N.Vijaya Raghavan, learned counsel for the 2nd respondent /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.2,70,000/- with interest at the rate of 7.5% per annum as compensation to the claimants. Being not satisfied with the quantum of compensation awarded by the Tribunal, the claimants have preferred this appeal seeking enhancement of the same.

2. After due deliberation and consultation, both the parties have agreed to enhance the award amount to a sum of Rs.2,50,000/- (Rupees Two Lakh Fifty Thousand Only) as full quit, over and above the compensation awarded by the Tribunal and the same is hereby awarded.

3. It is submitted by the learned counsel for both sides that the compensation awarded by the Tribunal was already deposited and the same was also withdrawn by the appellants/claimants. In view of the same, the second respondent/Insurance company is directed to deposit the enhanced amount of Rs.2,50,000/-, within a period of six weeks from the date of receipt of a copy of this order. On such deposit being made, the Tribunal shall transfer the same to the respective savings Bank account of the appellants /claimants as per the ratio of apportionment made by the Tribunal through NEFT/RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

4. Accordingly, the Civil Miscellaneous Appeal is disposed of. Consequently, connected miscellaneous petition is closed, if any.

1. R. Rathika

2. G. Raghu

Counsel for the Appellants

M/s. Chola Mandalam Ms General Insurance Co. Ltd.,
Dare House, IIInd Floor, NSC Bose Road,
Chennai-600 001.

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.



To: The parties/Advocate concerned

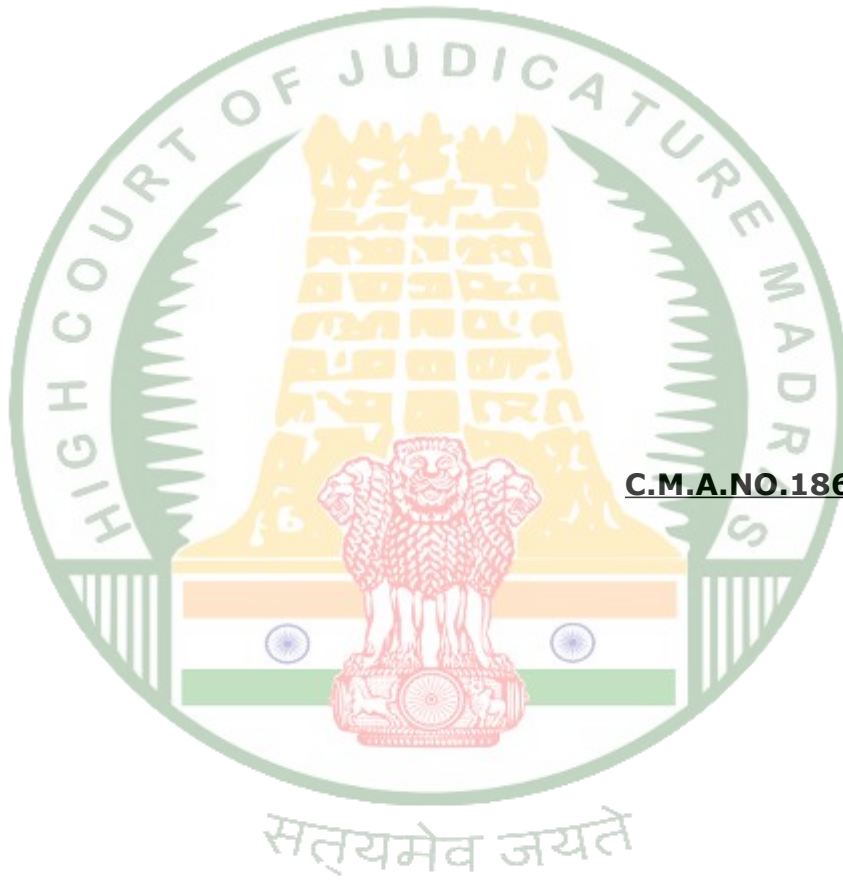
Copy to:

1. The Motor Accidents Claims Tribunal, XVI Additional Judge, 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

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G.K.ILANTHIRAIYAN, J.

msm



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Dated : 13.07.2019