

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 Hon'ble Mr.JUSTICE G.K. ILANTHIRAIYAN

and

Members

Mr.A.Manivasakan, District Judge (retd)

Mrs.Sudharshana Sunder

C.M.A.No.199 of 2012

and M.P.No.1 of 2012

(Appeal against the judgment and decree passed on 18.07.2011 made in MCOP.No.964 of 2008 on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Dharmapuri).

United India Insurance Co. Ltd
Branch Manager,
Thiruvannamalai Taluk & District.

.. Appellant

/versus/

1.Minor Santhamoorthi rep.by next friend
and guardian father Kuppusamy

2.Rajesh Kumar

.. Respondents

This case is taken up for settlement before this Lok Adalat. The appellant along with their learned counsel Mr.K.S.Narasimhan is present.

JUDGMENT

This appeal is preferred by the appellant insurance company as against the award dated 18.07.2011 passed by the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Dharmapuri, in MCOP.No.964 of 2008.

2.The learned counsel for the appellant submitted that the appellant insurance company agreed to satisfy the award passed by the Tribunal. In view of the same, the award of the Tribunal at Rs.1,52,600/- with interest at the rate of 7.5% per annum from the date of filing of claim petition, with a right to recover the same from the second respondent/owner of the vehicle, is hereby confirmed.

G.K. ILANTHIRAIYAN, J.

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3.Hence, the appellant insurance company is directed to deposit the entire award amount with interest and costs, after deducting the amount if any already deposited, within a period of six weeks from the date of receipt of a copy of this judgement. It is submitted that the minor respondent would have attained majority as of now. On such application being made, the Tribunal shall transfer the compensation amount to the bank account of the respondent/claimant, on proper identification through RTGS 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 civil miscellaneous petition is closed.

United India Insurance Co. Ltd
Branch Manager,
Thiruvannamalai Taluk & District.

Counsel for Appellant

1.Minor Santhamoorthi rep.by next friend
and guardian father Kuppusamy

2.Rajesh Kumar

Counsel for the respondents

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.

Judge

Member

Member

To:The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Dharmapuri.
- 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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