

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th September 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.P.Subburaj, District Judge (retd)

Dr.M.Devendran

C.M.A.NO.2014 OF 2015

and

M.P.No.1 of 2015 and C.M.P.No.1049 of 2016

(Appeal against the judgment and decree passed on 19.01.2015 made in MCOP.No.2388 of 2013 on the file of the Motor Accidents Claims Tribunal, II Court of Small Causes, Chennai.

M/s.The Oriental Insurance Co Ltd.,
Motor Third Party Claims Hub,
Oriental House, 2nd Floor,
No.216, Prakasam Salai,
Broadway, Chennai-1

.. Appellant

/versus/

1.S.Rajeswari

2.Minor.S.Seema

Rep. by her mother and Natural Guardian /
1st respondent

3.G.Praveenkumar

.. Respondents

(R3 was set ex-parte before the Tribunal)

This case came up for settlement before the National Lok Adalat. The Appellant is represented by Mr.Arunkumar, learned counsel, who is present today.

JUDGMENT

This appeal is preferred by the appellant insurance company as against the award dated 19.01.2015 passed by the Motor Accidents Claims Tribunal, II Court of Small Causes, Chennai in MCOP.No.2388 of 2013.

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.13,56,548/- (Rupees Thirteen Lakhs Fifty Six Thousand Five Hundred and Forty Eight only) with interest at the rate of 7.5% per annum from the date of filing of claim petition, is hereby confirmed.

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. On such deposit being made, the Tribunal is directed to transfer the share of the first respondent as apportioned by it to her bank account, on proper identification through RTGS in accordance with the terms of the award, without insisting on any formal permission petition. In respect of R2, she should have attained majority as of now and hence, the Tribunal shall transfer her share of the compensation amount on making proper application.

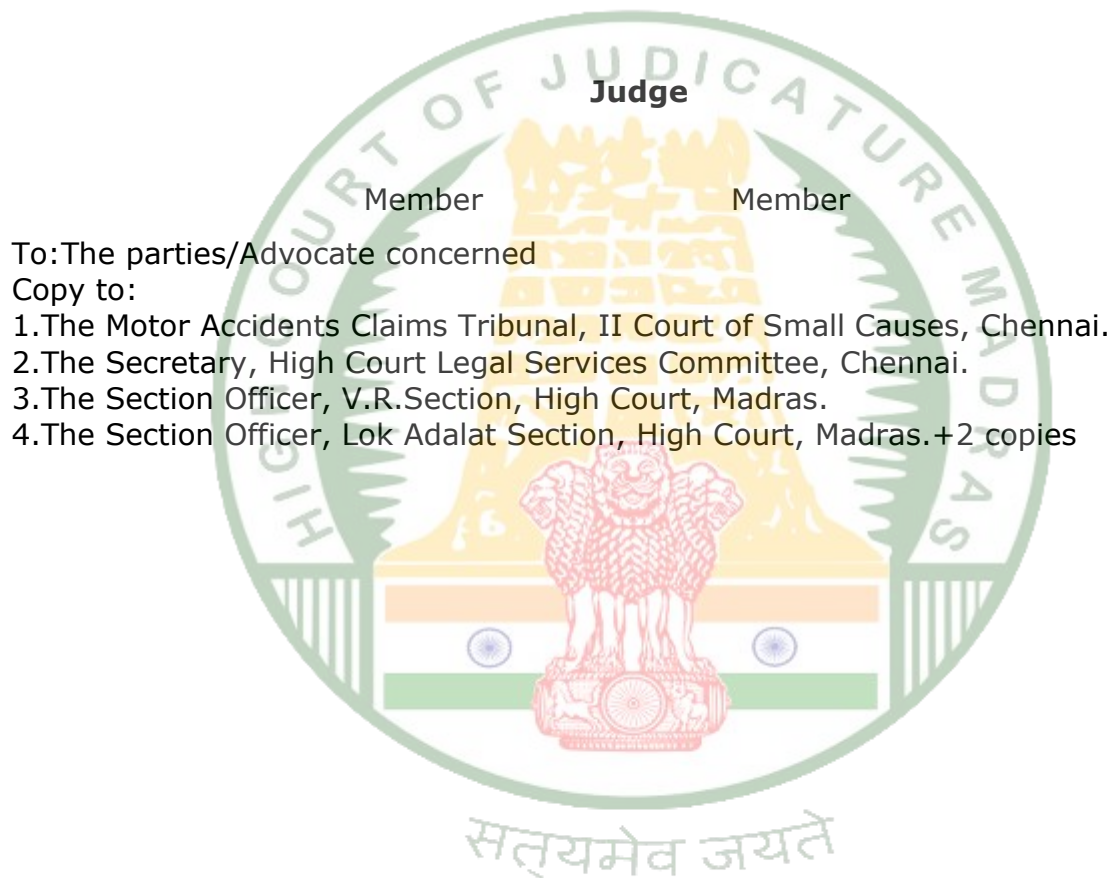
4. Accordingly, the Civil Miscellaneous Appeal is disposed of. Consequently, connected Miscellaneous Petitions are closed.

M/s.The Oriental Insurance Co Ltd.,
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Counsel for the Appellant

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.



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G.K.ILANTHIRAIYAN, J.

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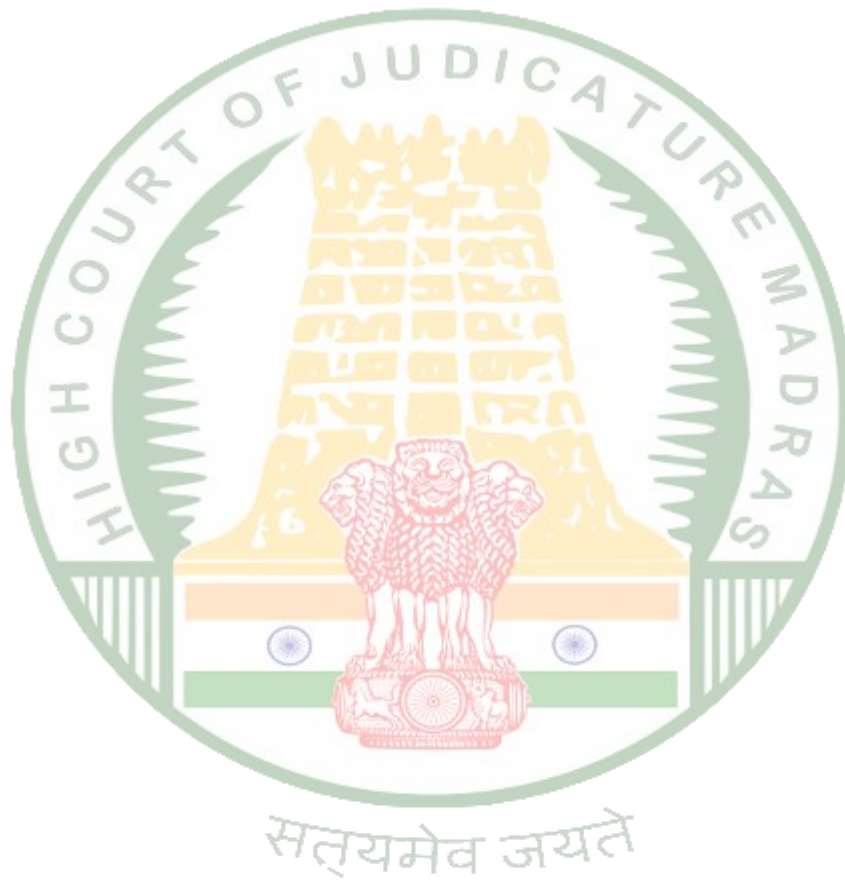


C.M.A.NO.2014 OF 2015 and

M.P.No.1 of 2015 and C.M.P.No.1049 of 2016

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