

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Monday, the 28th day of January, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)
and

Members

- 1.Mr.K.Ramakrishnan
- 2.Mr.T.R.Ravi

C.M.A.No.2095 of 2012

Appeal against the judgment and decree passed on 28.06.2011 made in M.C.O.P. No.3679 of 2007 on the file of the Motor Accident Claims Tribunal, Chief Judge, Court of Small Causes, Chennai.

Krishnan

.. Appellant

Vs.

1.S.Sarath Sheriff
(Set ex-parte before the Tribunal)

2.Tata AIG General Insurance Company Ltd.,
No.1, Ethiraj Salai, Egmore,
Chennai - 08.

.. Respondents

This case has been listed today and came up for settlement before the Lok Adalat. Learned counsel for the appellant Nr.N.M.Elumalai and learned counsel for the Respondent Mr.A.Jeganathan for Mr.N.Vijayaraghavan and Mr.R.Krishnakumar, Senior Manager (Legal) for the Tata AIG General Insurance Company Limited 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 only Claimant is injured in the accident. The Tribunal, for the injuries sustained by the Claimant granted compensation of Rs.48,000/- (Rupees Forty Eight Thousand only) which was deposited by the 2nd Respondent / Insurance Company and the same has been withdrawn by the claimant / appellant.

2. Not satisfied with the compensation granted by the Tribunal, the appellant has come forward with this appeal. After great deliberation and discussion, the matter has been

settled at Rs.60,000/- (Rupees Sixty Thousand only) over and above the compensation awarded by the Tribunal.

3. The second respondent / Insurance Company is directed to deposit the enhanced amount of Rs.60,000/- (Rupees Sixty Thousand only) within a period of four weeks from the date of receipt of a copy of this Order.

4. . On such deposit, the claimant / appellant is permitted to withdraw the additional award amount without filing any formal petition. The Award is passed accordingly.

5. The Tribunal is directed to issue the amount through cheque / RTGS to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-
Krishnan

Sd/-
... Counsel for the Appellant

Sd/-
Tata AIG General Insurance Company Ltd.,
No.1, Ethiraj Salai, Egmore,
Chennai - 08.

Sd/-
... Counsel for 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.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal/Chief Judge, 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.2095 of 2012

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nr 26/02/2019



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