

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of December, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE C. SARAVANAN
and

Members

Mrs.Revathi G.Mohan

Mr.M.Sambasivam

C.M.A.No.2233 OF 2015

[Appeal against the judgment and decree passed on 07.07.2014 in MCOP.No.1395 of 2012 on the file of the learned VI Judge, Motor Accidents Claims Tribunal (Court of Small Causes), Chennai.

M/s.Cholamandalam MS General Insurance Company Limited,
Dare House,
No.N.S.C.Bose Road,
Chennai.

... Appellant

Vs.

1. S.Sivanandham

2.S.Ramesh

..Respondents

Though this case is not listed before this forum settlement, it is taken up for hearing at the instance of the learned counsel for the appellant. Both the parties are present. The learned counsel for the appellant M/s.M.B.Gopalan and learned counsel for the 1st respondent Mr.P.Chinnaraj 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.4,03,000/- with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the appellant/Insurance Company that a sum of Rs.4,99,019/- has already been deposited before the Tribunal. The first respondent /claimant has already withdrawn a sum of Rs.3,74,019/-.

2. Aggrieved over the award of the Tribunal, the appellant/Insurance Company has preferred the present appeal. Now, both the parties have agreed to modify the award to a sum of Rs.3,74,019/- (Rupees Three Lakhs Seventy Four Thousand and Nineteen only)in full quit as compensation. After satisfaction

C. SARAVANAN, J.

dua/KKD

of the decree, the Tribunal is directed to refund the balance amount of Rs.1,25,000/-, to the Insurance Company together with the bank interest without filing any formal petition. The Award is passed accordingly.

3.The Tribunal is directed to issue the cheque to the party 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. Consequently, connected Miscellaneous Petitions are closed, if any.

M/s.Cholamandalam MS General Insurance Company Limited,
Dare House,
No.N.S.C.Bose Road,
Chennai.

Counsel for the Appellant

1. S.Sivanandham

2.S.Ramesh

Counsel for the respondents

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the manner provided under 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.

WEB COPY

Judge

Member

Member

To:The parties/Advocate concerned

Copy to:

- 1.The VI, Judge, Motor Accidents Claims Tribunal (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.

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