

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th day of July, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (RETD.)

and

Members

Mr.M.Sambasivam (District Judge Retd.)

Mr.A.Kothandaraman.

C.M.A.No.3644 of 2011

(This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1989, to set aside the Judgment and Decree dated 29.04.2011 in M.C.O.P.No.347 of 2005 on the file of Motor Accidents Claims Tribunal, (Subordinate Judge), at Tirupattur.

The United India Insurance Co Ltd.,
Rep. by its Branch Manager,
No.11-A, M.C. Road, Ambur

... Appellant

Vs.

1.E.Illakkiya

2.Samuvel

3.Parvathy

4.Minor Muthulakshmi

Rep. by mother & Next friend E.Illakkiya

5.M.Gangadharan

...Respondents

This case came up for settlement before the National Lok Adalat. Both

the parties are present. Mr.Arunkumar, learned counsel appearing for the appellant and Mr. D.Selvaraju, learned counsel appearing for the respondents are present.

TERMS OF SETTLEMENT

The appeal in C.M.A No.3644 of 2011 pending on the file of the High Court of Madras and preferred against the award passed in M.C.O.P.No.347 of 2005 on the file of Motor Accident Claims Tribunal, Sub-Court, Tirupattur, Vellore District has been referred to Lok Adalat for conciliation today.

2. The learned counsel assisting the appellant/United India Insurance Co., Ltd., Pondicherry and the learned counsel assisting the respondents 1 to 4 are present before the Lok Adalat for conciliation today. The trial Court has passed an award for a sum of Rs. 7,64,000/- (Rupees Seven Lakhs Sixty Four Thousand only) with interest at 7.5 % per annum from the date of petition till the date of the deposit. After great deliberation and discussion, both the parties have compromised the disputed claim at Rs.7,39,000/- (Rupees Seven Lakhs Thirty Nine Thousand only) with interest at 7.5% per annum from the date of petition till the date of the deposit of the compromised amount. Admittedly, entire amount has been deposited before the Tribunal.

3. In view of the compromise arrived at between both the parties, the Lok

Adalat hereby declare and decree that the appellant/insurance company shall pay a sum of Rs.7,39,000/-(Rupees Seven Lakhs Thirty Nine Thousand only) with interest at 7.5% from the date of petition till the date of deposit to the respondents 1 to 4 in this appeal. Since, the entire amount has already been deposited before the Tribunal, no amount is due to be paid by the insurance company to the respondents 1 to 4. The respondents 1 to 4 are permitted to withdraw their respective shares of the award amount along with accrued interest thereon without filing any formal petition before the Tribunal. The appellant/insurance company is permitted to withdraw the excess amount of Rs.25,000/-(Rupees Twenty Five thousand only) along with accrued interest thereon. No order as to costs. Consequently, connected M.P. No. 1 of 2011 stands closed.

Member Judge Member
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Mr.Arunkumar

....Counsel for the Appellant

Mr. D.Selvaraju

...Counsel for the Respondents

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Sub-Court, Tirupattur.
2. The United India Insurance Co Ltd., Rep. by its Branch Manager, No. 11-A, M.C. Road, Ambur.
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R. Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

ay/ssm

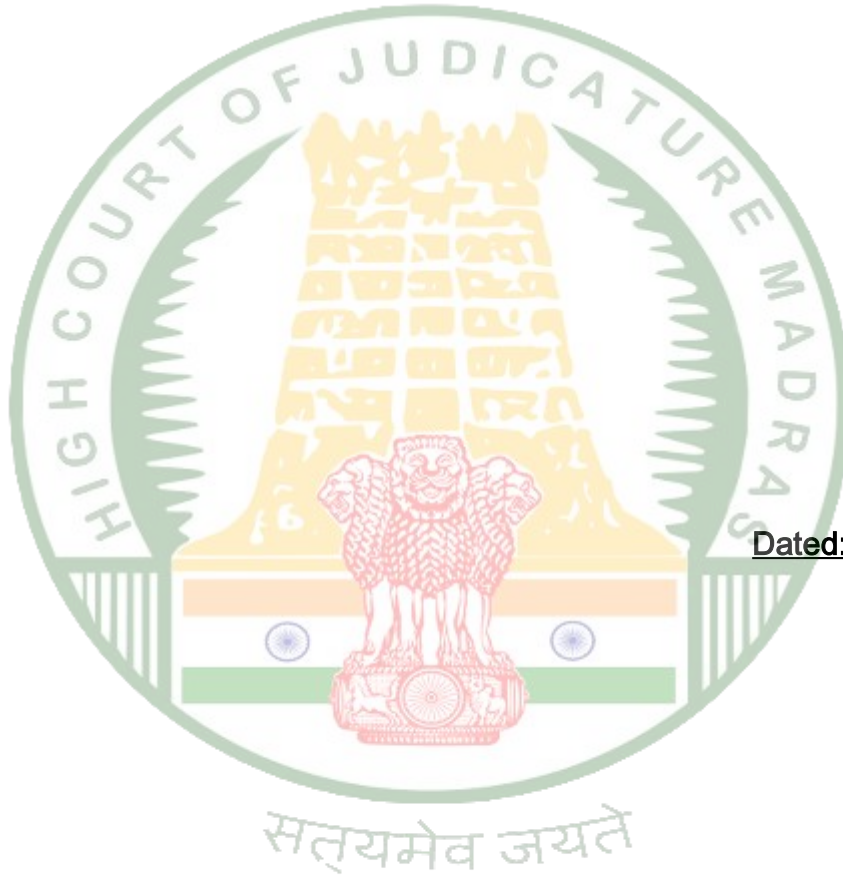


P.THANGAVEL, J. (Retd.)

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C.M.A.No.3644 of 2011



Dated:13.07.2019

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